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REPORT

ON

THE ADMINISTRATION

OF

Civil Justice

IN

THE PRESIDENCY OF MADRAS,

FOR THE YEAR

1882.

Madras:

PRINTED AT THE SCOTTISH PRESS, BY GRAVES, COOKSON AND CO.,
HIGH COURT BUILDINGS.

1883.

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BENGAL SECRETARIAT LIBRARY

REPORT

ON

THE ADMINISTRATION OF CIVIL JUSTICE

IN THE

PRESIDENCY OF MADRAS

IN

1882.

HIGH COURT.

HIGH COURT.

The Chief Justice having proceeded to England on privilege leave for two months in continuation of the recess, Mr. Justice Innes, who was appointed to act in the vacancy thus arising, entered upon his duties as Acting Chief Justice on the 10th July 1882. Mr. Justice Tarrant assumed charge of the Court as an Acting Judge on the same date. The Chief Justice resumed charge of his office on 9th September 1882.

2. The High Court was adjourned for the usual vacation from 10th May to 10th July 1882, both days inclusive. A Court of two Judges for the disposal of Criminal Appeals and Petitions sat on the 12th June 1882, and a Vacation Judge was present for the disposal of emergent business throughout the vacation.

ORIGINAL JURISDICTION.

ORIGINAL JURISDICTION.

Benches and working days.

3. On the Original Side of the High Court, 343 Benches sat on 182 days during the year under review, as compared with 411 on 163 days in 1881. The decrease in the number of sittings on the Original Side is accounted for by the fact that an increased number of Benches sat during the year on the Appellate Side.

Sittings.

4. For the hearing of Original Suits, 5 Judges sat together on 1 day, 3 Judges sat separately and simultaneously on 2 days, 2 Judges sat separately and simultaneously on 43 days, 1 Judge sat separately on 108 days; and references to take accounts, &c., occupied one Judge for 43 days. The Insolvent Court work occupied one Judge for 66 days.

Receipts from Court fees.

5. The Receipts from Court fees during the year amounted to Rupees 84,660, as against Rupees 1,16,128 in 1881 and Rupees 1,29,824 in 1880, and include Rupees 23,067, received on account of Probate and Administration duties, as against Rupees 41,952 in 1881 and Rupees 40,933 in 1880.

A.—SUITS.

SUITS.

I.—INSTITUTIONS.

Institutions.

Comparison of twenty years' institutions.

6. The number of Suits instituted in 1882 was 407, of which 398 were Ordinary, 5 Testamentary and Intestate, and 4 Matrimonial, Suits. The following table shows how the institutions have fluctuated from year to year since the High Court was established in 1862:—

1862	... ...	97	1870	... ...	806	1878	... ...	516
1863	... ...	335	1871	... ...	772	1879	... ...	526
1864	... ...	387	1872	... ...	767	1880	... ...	518
1865	... ...	358	1873	... ...	881	1881	... ...	494
1866	... ...	433	1874	... ...	817	1882	... ...	407
1867	... ...	567	1875	... ...	541			
1868	... ...	627	1876	... ...	457	Total...		11,502
1869	... ...	635	1877	... ...	561	Average...		548

SUITS.

Suits of 1882 classified according to subject-matter.

7. The Suits instituted in 1882 may be classified thus:—

22	Suits for possession of immoveable property.
5	„ for declaratory decrees.
88	„ to declare and establish rights to real property, including pre-emption, foreclosure, &c.
8	„ to declare and establish personal rights.
18	„ for an account.
4	„ for dissolution of marriage (Divorce).
9	„ for partition.
5	„ relating to shipping (Vice-Admiralty).
4	„ relating to religious endowments.
6	Administration Suits.
16	Suits for dissolution of partnership.
3	„ under Section 261 of Act X of 1865 (Indian Succession Act).
10	„ under the Specific Relief Act (Act I of 1877).
25	Other Suits not falling under any of the previous heads.
184	Suits for specific money claims amounting to Rupees 10,32,356-5-3.
Total... 407	

Summary Suits on Negotiable Instruments.

8. Of the 184 Suits for specific money claims, 164 were on contract. Of these, 104 were based on written promises for sums certain, and of this number, 26 were brought under Chapter XXXIX of the Civil Procedure Code (Summary Procedure on Negotiable Instruments) as against 12 in 1881. The following figures show the variations in the institution of Suits relating to Negotiable Instruments from 1866, the year in which a summary procedure was first provided for suits of this class.

1866	1	1873	138	1880	35
1867	26	1874	119	1881	12
1868	51	1875	70		
1869	59	1876	28	Total ...	1,075
1870	135	1877	49	Average ...	67
1871	120	1878	47	1882	26
1872	113	1879	72		

9. The table given below shows to what extent the summary relief allowed by the Act has been sought by suitors in the High Court, and, since 1875, in the Presidency Small Cause Court.

Year.	NUMBER OF SUMMARY SUITS FILED.					
	In the High Court.				In the Presidency Court of Small Causes.	Total.
	For sums not exceeding Rs. 1,000.			For sums exceeding Rs. 1,000.		
	For sums of Rupees 500 and under.	For sums above Rupees 500	Total.			
1	2	3	4	5	6	7
1866	...	...	...	1	..	1
1867	...	1	1	25	...	26
1868	1	1	2	49	...	51
1869	11	6	17	42	...	59
1870	28	19	47	88	..	135
1871	22	34	56	64	..	120
1872	20	20	40	73	...	113
1873	24	25	49	89	...	138
1874	12	14	26	93	..	119
1875	2	5	7	63	34	104
1876	...	3	3	25	51	79
1877	..	9	9	40	42	91
1878	...	2	2	45	19	66
1879	1	4	5	67	14	86
1880	2	3	5	30	41	76
1881	..	...	...	12	26	38
Total...	123	146	269	806	227	1,302
Average...	8	10	18	50	32	282
Compare 1882...	...	...	...	26	37	...

10. Of the 37 Summary Suits instituted during the year in the Presidency Court of Small Causes, 5 were for sums exceeding Rupees 1,000 in value and came on its file under the operation of Act XV of 1882.

SUITS.

Other classes of Suits.

11. The following table gives a classification of the institutions of the preceding 7 years under the heads specified therein and shows what proportions they bore to the files of the respective years :

Year.	Suits relating to immoveable property.		Suits for specific money claims.		Other suits.		Total.
	Number	Percentage.	Number.	Percentage.	Number.	Percentage.	
1875	146	26·99	259	47·87	136	25·14	541
1876	164	35·89	201	43·98	92	20·13	457
1877	137	24·42	320	57·04	104	18·54	561
1878	170	32·95	294	56·98	52	10·07	516
1879	115	21·86	314	59·70	97	18·44	526
1880	170	32·82	288	55·60	60	11·58	518
1881	216	43·73	203	41·09	75	15·18	494
Total...	1,118	30·95	1,879	52·01	616	17·04	3,613
Average...	160	31·01	268	51·94	88	17·05	516
Compare 1882 ...	124	30·47	184	45·21	99	24·32	407

Suits of 1882 classified according to value and subject-matter.

12. The following table shows the graded value of the several classes of Suits instituted in 1882.

Class of Suits.	Not exceeding Rs. 500.	Above Rs. 500 and not exceeding Rs. 1,000.	Above Rs. 1,000 and not exceeding Rs. 2,000.	Above Rs. 2,000 and not exceeding Rs. 2,500.	Above Rs. 2,500 and not exceeding Rs. 5,000.	Above Rs. 5,000 and not exceeding Rs. 10,000.	Above Rs. 10,000 and not exceeding Rs. 50,000.	Above Rs. 50,000 and not exceeding Rs. 1,00,000.	Exceeding Rs. 1,00,000.	Value not ascertained.	Total.
On contract in writing { Under Chapter 39, Civil Pro: Code ...	...	...	6	2	12	4	2	...	...	...	104
On contract in writing { Others	...	...	27	7	26	9	8	1	...	...	
On contract not in writing	...	...	2	...	1	...	...	...	...	1	4
On account stated	...	...	...	1	2	1	1	...	...	...	5
For money had and received ...	1	1	7	2	10	8	5	...	...	...	34
For price of goods sold	...	1	3	1	3	...	...	...	...	...	8
On contract not mentioned above ...	...	...	1	1	6	...	...	...	...	1	9
For rent	...	...	...	1	...	...	...	...	...	...	1
For moveable property or its value...	...	1	2	1	1	...	1	...	...	1	7
For damages	1	1	1	1	3	2	2	1	...	...	12
To declare and establish rights to real property, &c.	17	28	20	8	5	5	3	2	...	...	88
For recovery of immoveable property.	1	2	5	...	...	3	1	...	...	10	22
For declaratory decrees	...	...	2	...	...	1	...	...	...	2	5
For Specific Relief	1	...	1	...	2	1	...	...	...	5	10
To declare and establish personal rights	...	...	...	...	1	1	...	...	...	6	8
For an account	...	1	1	...	2	3	8	1	...	2	18
Relating to religious endowments ..	...	...	...	...	...	1	...	1	...	2	4
For dissolution of marriage	...	2	...	...	...	...	...	...	...	2	4
For partition	1	...	2	...	...	...	2	...	...	4	9
Relating to shipping...	...	...	...	...	3	2	...	...	...	...	5
Administration Suits...	...	...	...	...	1	...	3	...	1	1	6
For dissolution of partnership ...	....	...	3	...	...	2	4	...	...	7	16
Under Section 261, Act X of 1865 and Act XXI of 1870	1	...	1	...	...	...	...	...	...	1	3
Other Suits	2	2	4	1	1	2	2	1	...	10	25
Total ...	25	39	88	26	79	45	42	7	1	55	407

SUITS.

Value of the institutions of 1882 compared with the two preceding years.

13. The following table compares the proportions of Suits of the several grades of value with the total institutions in the three years, 1880 to 1882:—

Grades of value.	1880.		1881.		1882.	
	Number of Suits.	Percentage to total.	Number of Suits.	Percentage to total.	Number of Suits.	Percentage to total.
Not exceeding Rupees 500	63	12·16	45	9·11	25	6·14
Above Rs. 500 & not exceeding 1,000	59	11·39	46	9·52	39	9 84
„ „ 1,000 „ „ 2,000	131	25·29	143	28·75	88	21 62
„ „ 2,000 „ „ 2,500	30	5·79	33	6·68	26	6·38
„ „ 2,500 „ „ 5,000	84	16·22	60	12·14	79	19·41
„ „ 5,000 „ „ 10,000	37	7·14	25	5·06	45	11·30
„ „ 10,000 „ „ 50,000	35	6·15	16	3·24	42	10·32
„ „ 50,000 „ „ 1,00,000	3	·58	2	·40	7	1·72
Exceeding one lac of Rupees ...	2	·39	1	·20	1	·25
Value not ascertained	74	14·29	123	24·90	55	13·02
Total ...	518	100·00	494	100·00	407	100·00

Suits cognizable by a Small Cause Court.

14. Of Suits not exceeding Rupees 2,000 in value, the number was 152. This includes 97 "Title and other suits," and one for slander, and these being deducted, there remain 54 suits which *primâ facie* were of a nature cognizable by the Presidency Court of Small Causes. A closer examination, however, of the cases themselves shows that 37 suits were filed before the new Act came into force for sums exceeding Rupees 1,000 each, and could not have therefore been entertained by that Court. In 7 out of the remaining 17 suits, the defendant resided outside the local limits of that Court; and leave was necessary under Section 18 of the new Act for their institution in that Court. In one, such leave was applied for and refused, but it does not appear that, in the remaining 6 cases, any such steps were first taken.

15. In one other case, the cause of action did not arise within the Town, but the defendant resided within the local limits and the suit was entertainable under Section 18 (*b*) of the new Act in the Small Cause Court. The remaining 9 cases, of which 8 were filed between July and October 1882, after the new Act came into force, do not exhibit any special circumstances such as would oust the jurisdiction of that Court. There are thus, on the whole, 10 cases only, the institution of which in the High Court it is not easy to explain, except by the supposition that, for reasons of their own, parties have, in the exercise of their right of choice, elected to resort to that Court.

16. The total value of the subject-matter of the suits instituted, so far as their value can be ascertained, amounts to Rupees 23,82,000 as against Rupees 18,59,000 in 1881 and Rupees 20,53,000 in 1880, but it must be borne in mind that more than one-eighth of the suits were such that their value could not be ascertained, and many of these were suits of some importance. SUITS. Aggregate value.

II.—DISPOSALS. Disposals.

17. Including 6 suits restored to the file and 2 called up from District Courts for trial before the High Court, the number received on the file during the year was 415. These, together with the 221 pending at the end of 1881, made 636 suits for disposal in 1882 as against 754 in 1881, showing a decrease of 15·63 per cent. Of these, 370 were disposed of, leaving a balance of 266 at the end of the year. The variations from year to year in the work for disposal, disposed of, and in arrear, for the 8 years, 1875 to 1882, will appear from the following table :— Work of 1882 compared with the seven previous years.

Year.	Total for disposal.	Disposedof.	In arrear.	Percentage of disposals to total for disposal.	Percentage of arrears to total for disposal.
1	2	3	4	5	6
1875	1,252	507	745	40·49	59·51
1876	1,202	434	768	36·11	63 89
1877	1,329	681	648	51·25	48·75
1878	1,164	537	627	46·13	53·87
1879	1,153	766	387	66·44	33·57
1880	905	659	246	72·82	27·18
1881	754	533	221	70·69	29·31
Total...	7,759	4,117	3,642	53·07	46·93
Average...	1,108	588	520	53 67	46·93
Compare 1882...	636	370	266	58·17	41·83

18. The following statement exhibits the proportions of cases disposed of without trial and after trial during the year under review and the seven preceding years. Disposals without trial and after trial in 1882 compared with the previous seven years.

Year.	Disposed of without trial.	Disposed of after trial.	Total.	Percentage of column 2 to column 4.
1	2	3	4	5
1875	112	395	507	20 09
1876	78	356	434	17·98
1877	308	373	681	45·23
1878	202	335	537	37·62
1879	413	353	766	53·92
1880	160	499	659	24·28
1881	128	405	533	24·02
Total...	1,401	2,716	4,117	34 03
Average...	200	388	588	34·03
Compare 1882...	93	277	370	25 14

SUITS.

Mode of disposal.

19. Below is given the general result of the 370 Suits disposed of in 1882.

Disposed of.		Number.	Percentage.	
Without trial ...	Plaints rejected or returned after registration	6	6·45	25·12
	Dismissed for default or want of prosecution	18	19 35	
	Withdrawn with or without leave ...	69	74·20	
	Total...	93	100·00	
Without contest...	Decreed on confession	23	23·23	26·76
	Decreed *ex-parte*	71	71·71	
	Dismissed *ex-parte*	5	5·06	
	Total...	99	100·00	
After contest ...	Decreed for plaintiff in whole or in part	125	70·22	48·11
	Decreed for defendant	52	29·22	
	By arbitration...	1	·56	
	Total...	178	100·00	
	Grand Total...	370		100·00

20. Of the 71 Suits decreed *ex-parte*, 20 were Suits brought under Chapter XXXIX of the Civil Procedure Code.

1882 compared in detail with the previous seven years.

21. The following table compares these results with those of the preceding six years.

Year.	Suits disposed of.				Decreed for plaintiff.	Decreed for defendant	Percentage.			
	Without trial.	With contest.	After contest.	Total.			Of column 2 to column 5.	Of column 3 to column 5.	Of column 4 to column 5.	Of column 7 to column 6.
1	2	3	4	5	6	7	8	9	10	11
1875	112	43	352	507	342	53	22·09	8.48	69·42	15·49
1876	78	20	336	434	288	68	17·97	4·61	77·41	23 61
1877	308	218	155	681	312	61	45·32	32·01	22 76	19·50
1878	202	171	164	537	278	58	37·61	31·84	30·54	20·86
1879	413	189	164	766	308	45	53·91	24·68	21·41	14·61
1880	160	247	252	659	424	75	24·27	37·48	38·24	17·68
1881	128	149	256	533	348	57	24·02	27·94	48·04	36·37
Total...	1,401	1,037	1,679	4,117	2,300	417	34·02	25·19	40·79	18·14
Average...	201	147	240	588	329	59	34·02	25·51	45 58	17·93
Compare 1882...	93	99	178	370	219	57	25·15	26·76	40·11	26·03

SUITS.

Average duration Arrears.

22. The average pendency of Suits between the dates of institution and final disposal was 148 days for contested cases, and 88 days for uncontested.

III.—ARREARS.

23. The following statement shows the several stages in which the undisposed-of Suits stood at the close of 1882.

Cause of pendency.

Cause of pendency.	Filed prior to or in 1874.	Filed in 1875.	Filed in 1876.	Filed in 1877.	Filed in 1878.	Filed in 1879.	Filed in 1880.	Filed in 1881.	Filed in 1882.	Total.
Awaiting issues ...	...	...	...	...	2	4	...	8	91	105
Do. final disposal.	...	...	...	...	3	2	...	10	93	108
Pending return of commission ...	...	...	...	...	...	...	...	2	4	6
Awaiting Judgment.	...	...	...	...	...	...	1	3	6	10
Under reference ...	1	1	3	2	3	4	10	9	4	37
Total...	1	1	3	2	8	10	11	32	198	266
Compare 1881...	2	1	3	3	12	17	25	153	...	221

IV.—REFERENCES TO CHAMBERS.

References to Chambers.

24. The number of references to take accounts, to make enquiries, &c., pending at the commencement of the year was 37. The number of fresh references directed by the Court during the year was 12, making a total of 49. Of these, 12 were disposed of, leaving 37 pending at the close of the year. The following statement shows the variations in the work for disposal, disposed of and in arrear, under this head, for the years, 1875 to 1882 :—

Year.	Pending from the previous year.	Received during the year.	Total for disposal.	Disposed of	Pending at the end of the year.	Percentage of disposals to total for disposal.
1875	46	33	79	35	44	44·30
1876	44	19	63	27	36	42·86
1877	36	19	55	18	37	32 73
1878	37	25	62	15	47	24·19
1879	47	17	64	27	37	42·19
1880	37	20	57	18	39	31·58
1881	39	15	54	17	37	31·48
Total...	286	148	434	157	277	36·38
Average...	41	21	62	22	39	36·38
Compare 1882...	37	12	49	12	37	24·50

B.—EXECUTIONS.

EXECUTIONS

Institutions.

25. 213 applications for execution of decrees were received in 1882. Of these, 183 were for execution of the decrees of the High Court, 18, of the decrees of the Presidency Court of Small Causes, 7, of the decrees of the Courts in the Mufassal, 3, of the decrees of the High Court of Bombay and 2 of the decrees of the Court of the Assistant Judicial Commissioner, Lahore. Including 33 pending at the beginning of the year, there were 246 applications for disposal. Of this number, 38

EXECUTIONS.

were withdrawn or otherwise not prosecuted, and 124 were disposed of with the following result, leaving 84* undisposed of at the end of the year.

Decrees how satisfied.

Number of cases in which satisfaction was obtained through Court in whole or in part		99
,, adjusted out of Court		2
,, in which execution was wholly infructuous		23
	Total...	124

Decrees how executed.

26. Below is a distribution of these applications according to the mode in which the decrees were executed.

Number of cases in which judgment-debtor was imprisoned	7
,, do. was arrested but released without imprisonment...	10
,, possession of moveables was given	1
,, ,, immoveables ,, ...	35
,, moveables were sold	6
,, immoveables were sold	49
,, execution was otherwise effected.	16
Total...	124

INSOLVENCY.

C.—INSOLVENCY.

Institutions.

27. The number of cases filed in 1882 for declaration of insolvency under the Act for the Relief of Insolvent Debtors was 166, of which 14 were by persons in prison. This number, together with 68, pending at the close of the previous year, made 234 for disposal. Of these, 169 were disposed of, 23 being dismissed, and in the rest, the insolvents were discharged, with allocation in 53 cases. The balance pending at the close of the year was 65. In 96 of the cases disposed of, there were filed 274 oppositions, 224 of which were contested, 38 by Counsel and 186 by the parties in person. The statement given below compares the work for disposal, disposed of, and in arrear, in the Insolvency Jurisdiction for the years, 1875 to 1882.

Work of 1882 compared with the previous seven years.

Year.	Number.			Percentage of disposals to total for disposal.	Percentage of arrears to total for disposal.
	For disposal.	Disposed of.	Pending at the end of the year.		
1875	214	152	62	71·03	28 97
1876	202	144	58	71·29	28·71
1877	161	144	17	89·44	10 56
1878	194	140	54	72·16	27·84
1879	209	125	84	59.81	40·19
1880	236	143	93	60·59	39·41
1881	231	163	68	70·56	29·44
Total...	1,447	1,011	436	69·86	30·14
Average...	207	144	63	69·56	30·44
Compare 1882...	234	169	65	72·22*	27·78

Persons seeking relief.

28. Of the persons who sought relief in the cases filed in the year, 15 were traders, 48, Government servants, 12, Government Pensioners, and 80, employés of private individuals or Companies, and 33, persons without employ. Of these, many had no doubt incurred debts in trade.

29. The Insolvent Court also disposed of 118 applications for protection orders and 88 petitions of a miscellaneous nature.

* 55 of these are cases in which either moveable or immoveable property or both have been attached at the instance of the parties, but in which no further steps have been taken by them.

D.—MISCELLANEOUS CASES.

MISCELLANEOUS CASES.

Institutions and disposals.

30. The High Court received and disposed of, during the year, 1,347 interlocutory applications in Suits, including applications for injunction, for attachment before judgment, and for appointment of Receivers.

Pauper petitions.

31. 64 petitions were filed for leave to sue *in formâ pauperis*, making, with the 13 which stood over from 1881, a total of 77 for disposal in 1882; of these, 27 were admitted and are included in the number of Suits stated as filed during the year, 29 were rejected, and 21 remained undisposed of at the close of the year. The table given below compares the work of the Court under this head for the years, 1875 to 1882.

Year.	Pending from the previous year.	Filed in the year.	Total for disposal for the year.	Disposed of during the year.	Pending at the end of the year.	Admitted.	Rejected.	Percentage of petitions admitted to those rejected.
1875	2	30	32	32	...	18	14	56·25
1876	...	40	40	33	7	17	16	51·51
1877	7	31	38	37	1	11	26	29·73
1878	1	33	34	20	14	10	10	50·00
1879	14	37	51	43	8	22	21	51 16
1880	8	63	71	55	16	26	29	47·27
1881	16	71	87	74	13	61	13	82·43
Total...	48	305	353	294	59	165	129	47 27
Average...	8	43	51	42	9	23	19	47·72
Compare 1882...	13	64	77	56	21	27	29	48·32

Petitions for Probate, &c.

32. There were filed, during the year, 103 petitions for Letters of Administration and Probate as against 108 in 1881. These, with the 14 pending from 1881 made 117 for disposal. 88 petitions were disposed of, leaving a balance of 29 at the close of the year.

Claims to attached property.

33. One claim to attached property was pending at the close of the previous year. This, together with 13 received during the year, made 14 for disposal. 13 of this number were disposed of, leaving one petition undisposed of at the end of the year.

Other petitions.

34. The High Court also received 30 petitions of various other kinds, viz., petitions for the custody of lunatics, for the appointment of guardians to infants, for winding up Companies, &c., &c. These, with the 17 petitions which were pending at the close of 1881, made 47 for disposal. Of this number, 37 were disposed of, and 10 remained pending at the end of the year.

APPELLATE JURISDICTION.

Benches and Sittings.

35. On the Appellate Side, 350 Benches sat on 203 days during the year under review, as compared with 302 on 194 days in 1881 and 332 on 200 days in 1880. The following table shows the number and strength of the several Benches formed in the years, 1879 to 1882 :—

	Benches consisting of					
	One Judge.	Two Judges	Three Judges.	Four Judges.	Five Judges.	Total.
1879	18	195	8	...	3	224
1880	60	269	3	...	...	332
1881	43	247	6	3	3	302
1882	77	246	18	3	6	350

36. The above figures include Criminal Benches which, for the purposes of this report, have been reckoned at 128, 73 being presided over by a single Judge, 43 by two Judges and 12 by 3 Judges, 9 for the hearing of the appeals connected with the Salem riots, and 3 for the disposal of the Chingleput record-theft case.

Receipts from Court fees

37. The receipts from Court fees during the year amounted to Rupees 98,892 as compared with Rupees 84,293 in 1881 and Rupees 82,348 in 1880, and were levied as follows :—

		In 1882.	1881.	1880.
On account of Process fees	Rs.	2,840	2,595	2,105
On account of *ad valorem* fees on Appeals and Second Appeals	Rs.	82,657	72,692	74,293
On account of fees in Miscellaneous Proceedings	Rs.	13,395	9,006	5,950

A.—APPEALS FROM ORGINAL DECREES.

FIRST APPEALS

I.—INSTITUTIONS.

Institutions.

38. The number of Appeals from original decrees filed in 1882 was 186 as against 192 in 1881 and 199 in 1880, being a decrease of 3·13 and 6 53 per cent. respectively.

Comparison of the institutions of 1882 with the previous eleven years.

39. The following figures show the fluctuations in the institution of appeals in the twelve years ending 1882 :—

1871	152
1872	173
1873	174
1874	133
1875	149
1876	139
1877	158
1878	137
1879	150
1880	199
1881	192
Total...	1,756
Average...	160
Compare 1882...	186

40. It will be seen that the institutions of 1882, though slightly short of the files of 1880 and 1881, were more numerous than in any of the nine years preceding 1880, and exceeded the average for the eleven years beginning from 1871 by 16·25 per cent.

41. 162 of these Appeals were preferred from original decrees of the Courts in the Mufassal : the remaining 24 were from decrees of a Division Bench of the High Court on its Original Side. In the preceding year, the numbers were 156 and 36, respectively.

FIRST APPEALS.

Institutions of the past five years distributed by Districts.

42. The following table distributes, by Districts, the Appeals instituted in each of the years, 1877 to 1882:—

	1877.	1878.	1879.	1880.	1881.	Average.	Compare 1882.
Arcot (North) ..	6	4	5	...	2	3	4
Arcot (South) ...	4	2	5	5	5	4	1
Bellary ...	1	3	2	2	2	2	3
Canara (South) ..	5	7	18	9	5	9	1
Chingleput ...	2	2	8	15	9	7	7
Coimbatore ...	10	...	3	4	2	4	3
Cuddapah ...	8	...	4	2	9	5	1
Ganjam ..	6	4	4	5	3	4	3
Godavari ...	5	5	4	18	7	8	7
Kistna ...	3	...	4	3	21	6	12
Kurnool ...	2	2	3	3	...	2	2
Madura ...	23	8	11	21	16	16	20
Malabar (North) ...	5	4	3	7	5	5	5
Malabar (South) ...	11	10	15	12	6	11	9
Nellore	1	1	1	5	2	2	5
Nilgiris	...	4	2	...	1	1	1
Salem	4	2	1	5	8	4	9
Tanjore (North) ...	6	4	1	17	15	9	16
Tanjore (South) ...	7	18	16	11	16	14	18
Tinnevelly ...	9	14	1	3	6	7	6
Trichinopoly ...	12	11	14	6	5	10	11
Vizagapatam ...	4	5	7	4	11	6	18
Madras ...	24	27	18	42	36	29	24
Total...	158	137	150	199	192	168	186
Average per District.	7	7	7	9	9	7	8

43. Ganjam, Godavari, North Malabar, Nilgiris, and Tinnevelly have in 1882 contributed each the same number of Appeals as in 1881.

44. South Arcot, South Canara, Chingleput, Cuddapah and Kistna have contributed 27 less in the aggregate, and the remaining Districts, 33 more appeals, than in 1881.

Appeals from Districts having one or more Subordinate Judge's Courts.

45. To the 162 Appeals filed from the Courts in the Mufassal, Madura, and North and South Tanjore, as usual, and Vizagapatam contributed the largest proportion. The Appeals from Tanjore (North and South) show an increase of 9·68 per cent. over the number filed in 1881. This fact bears out the opinion expressed in the report for 1881 that the Appeals from this District showed a steady tendency to increase since 1877. All the 18 Appeals entered against Vizagapatam were from the decrees of the Subordinate Judge at that station, as will be seen from the following table, which distributes the Appeals received, by Districts and Courts.

Districts.	Appeals filed in 1882.		
	From District Courts.	From Sub-Courts.	Total for the District.
Arcot, South (Cuddalore)	...	1	1
Bellary	1	2	3
Canara, South (Mangalore)	...	1	1
Godavari (Cocanada)	5	2	7
Madura. { East	6	13	20
{ West		1	
Malabar, North (Tellicherry)	...	5	5
Malabar, South { (Calicut)	1	8	9
{ (Cochin)			
Tanjore, North (Negapatam)	3	13	16
Tanjore, South { (Kumbhakonam)	1	2	18
{ (Tanjore)		15	
Tinnevelly	1	5	6
Vizagapatam	...	18	18

FIRST APPEALS.

Institutions of 1882 classified according to subject-matter

46. Grouping the Appeals instituted according to the nature of their subject-matter, we have the following proportions:—

Class.	Number.	Percentage.
Relating to money or moveables... ...	45	24·19
Relating to title and other suits	141	75·81
Total...	186	100·00

The same classified according to value.

47. Classifying these again according to the value of their subject-matter, we have the following results:—

Grades of value.	Number.		Percentage.
Above 50 Rupees and not exceeding 100 Rupees...	2		1·08
„ 100 do. 500 „ ...	8		4·30
„ 500 do. 1,000 „ ...	9	77	4·84
„ 1,000 do. 2,500 „ ...	24		12·90
„ 2,500 do. 5,000 „ ...	34		18·28
„ 5,000 do. 10,000 „ ...	35		18·82
„ 10,000 do. 1,00,000 „ ...	33	72	17·74
Exceeding 1,00,000 Rupees	4		2·15
Admitting of no money valuation	37		19·89
Total...	186		100·00

Appeals not exceeding 5,000 Rs. in value

48. In 1882, there were only 77 Appeals relating to property not exceeding 5,000 Rupees in value as against 95 in 1881, and the number of Appeals relating to property exceeding 5,000 Rupees in value was 72 in 1882 as against 57 in 1881; but it must be remembered that in suits for the recovery of possession of land, the arbitrary valuation of the Court Fees Act is adopted in this Presidency.

49. Of the 77 Appeals relating to property not exceeding Rupees 5,000 in value, 14 were from decrees in suits heard and determined by the High Court, Original Side. As regards the remaining 63 Appeals, the explanation given in the Report for 1881 may here be repeated. The appeals were from decrees in some one of the following classes of suits heard and determined by the Courts in the Mufassal, viz.:—

(I.) Suits originally instituted in Courts from which appeals lay to Courts subordinate to the High Court, and subsequently, under the special orders of the High Court, withdrawn from such Courts and heard and determined by Courts, from which appeals lay direct to the High Court.

(II.) Suits instituted and tried under special enactments, (*e. g., the Religious Endowments Act* XX *of* 1863 *and the Land Acquisition Act* X *of* 1870) by Courts from which appeals lay direct to the High Court.

(III.) Suits in which the property sued for in the Court of First Instance exceeded Rupees 5,000 in value and in which the parties, having partially succeeded, sought in appeal a relief of smaller value.

Appeals exceeding 5,000 Rs. in value.

50. Of the 72 Appeals relating to property exceeding 5,000 Rupees in value, 4 were Appeals for property exceeding in value one lac of Rupees, three being from District Courts and one from a Subordinate Judge's Court. Of the remaining 68, 2 were from the High Court, Original Side, and 66 from the District and Subordinate Judges' Courts.

51. Classifying the 72 Appeals exceeding 5,000 Rupees in value according to the nature of their subject-matter, we have the following results:—

Class.	Number.	Percentage.
From Suits for money or moveable property... ...	16	22·22
„ „ relating to immoveable property... ...	39	54·17
„ „ other Suits	17	23 61
Total ...	72	100·00

Unvalued Appeals.

52. Of the 37 Appeals, stated above to be of a nature not admitting of a money valuation, 29 were received from the Mufassal, and these were suits for declaratory decrees, for removal of managers or trustees and for declaration of personal rights.

Aggregate value of appeals.

53. The total value of property involved in Appeals received from the Mufassal during the year, amounted to Rupees 57,07,541 as against Rupees 14,45,698 in 1881, being an increase of over 43 lacs or three times as much as in 1881.

54 This striking increase is chiefly owing to the institution of one Appeal relating to the succession to the Zemindari of Sivaganga which was valued at nearly 38 lacs of Rupees. The following table shows the several grades of value in which the increase arose :—

FIRST APPEALS.

Aggregate value of Appeals of several grades of value in 1881 and 1882.

Year.	Appeals relating to property.							
	Not exceeding Rs. 5,000.		Not exceeding Rs. 1,00,000.		Exceeding Rs. 1,00,000.		Total.	
	Number.	Aggregate value.	Number.	Aggregate value.	Number.	Aggregate value.	Number.	Aggregate value.
1881	82	1,50,953	48	7,76,914	3	5,17,831	133	14,45,698
1882	63	1,49,373	66	9,65,594	4	45,92,574	133	57,07,541

II.—DISPOSALS.

Disposals.

55. Including 168 pending at the end of 1881, the total number of Appeals from original decrees on the file for disposal was 354 as against 328 for 1881. This, as will appear from the following figures, is the highest number hitherto on the file, and is in excess of the average for the preceding 11 years by 47·50.

Total for disposal in 1882 compared with the previous eleven years.

1871	258
1872	271
1873	227
1874	197
1875	188
1876	203
1877	215
1878	192
1879	241
1880	316
1881	328
Average...	240
Compare 1882...	354

56. Of this total, 167 Appeals were disposed of as against 160 in 1881, leaving 187 pending at the close of 1882. The modes of disposal are indicated in the following statement :—

Mode of disposal.

Disposed of.			No of Appeals.	Percentage.	
Without trial...			14	100·00	8·33
Without contest...	Decree of Lower Court...	Confirmed	5	35·71	8·38
		Modified	...	...	
		Reversed	9	64·29	
		Remanded	...	...	
		Total...	14	100·00	
After contest	...Decree of Lower Court...	Confirmed	57	41·01	83·24
		Modified	40	28 78	
		Reversed	27	19 42	
		Remanded	15	10·79	
		Total..	139	100·00	
		Grand Total ..	167	...	100·00

FIRST APPEALS.

Appeals from the Original Side.

57. The above figures include Appeals from the Original Side. In this class of Appeals, 19 were pending on the 31st December 1881. These, added to the 24 received during the year, made a total of 43 for disposal; and of this total, 22 were disposed of in the following manner, leaving 21 pending at the close of the year.

Disposed of.				Number.	Percentage.	
Dismissed for default or want of prosecution.				3	100·00	13·64
Without contest ...	Decree	Confirmed		2	66·67	13·64
		Reversed		1	33·33	
			Total...	3	100·00	
After contest ...	Decree	Confirmed		8	50·00	72·72
		Modified		4	25·00	
		Reversed		4	25·00	
			Total...	16	100·00	
			Grand Total...	22	...	100·00

Disposals of 1882 compared with the previous eleven years.

58. The following figures show the numbers of Appeals disposed of in the several years beginning from 1871 :—

1871	153
1872	225
1873	163
1874	158
1875	124
1876	146
1877	160
1878	115
1879	124
1880	180
1881	160
Total...	1,078
Average...	156
Compare 1882 ..	167

59. The number disposed of in 1882, though slightly in excess of that in 1881, *i. e.*, by 4·38 per cent, falls short of that in 1880, by 7·22 per cent. It shows, however, an excess of 45·22 and 34·68 per cent over the figures of 1878 and 1879, respectively, and an increase of 7·74 over the average for the previous 11 years, as indicated in the following statement :—

Disposals of 1882 compared in detail with the previous eleven years

Mode of disposal.	1871	1872	1873	1874	1875	1876	1877	1878	1879	1880	1881	Total.	Average	Compare 1882
Dismissed for default, &c.	2	8	5	7	1	6	9	3	6	14	8	69	7	14
Decree confirmed	95	172	99	101	79	93	91	86	82	95	73	1066	97	62
„ modified or reversed.	56	45	59	50	44	47	60	26	36	71	79	573	52	91
Total... ...	153	225	163	158	124	146	160	115	124	180	160	1708	156	167

60. The number of cases disposed of without trial in 1882 exceeded that of 1881 by 75 per cent. and the average for the preceding 11 years by 100 per cent. The percentage of this class of disposals to the entire number disposed of in 1882 was 8·38, whereas that in 1881 was only 5, and that of the average for the preceding 11 years was still less, *viz.*, 4·49.

FIRST APPEALS.

Average duration.

61. The average pendency of Appeals from the Courts in the Mufassal was 380 days, and of the Original Side Appeals, 267 days. The following statement shows the pendency of contested and uncontested cases in both these classes of Appeals.

Class of Appeals.	Average pendency in days.			
	Of contested Appeals.	Of uncontested Appeals	Of contested and uncontested Appeals taken together.	
Appeals from the Mufassal Courts.	395	305	380	366
Appeals from the Original Side.	218	390	267	

62. The above figures establish the fact noticed in the report for 1881, namely, that, in the case of Appeals from the Mufassal Courts, the pendency of contested cases was much more protracted than that of uncontested cases, while, in the case of Appeals from the Original Side of the High Court, it was the reverse. In regard to Appeals from the Mufassal Courts, the explanation of the striking difference in pendency between contested and uncontested cases is, as was stated in that report, to be found in the fact that, during the year under review, a very large amount of preparatory office work, such as translating and printing exhibits and evidence, had to be done in the former class of cases on the application of the parties or their pleaders, while the uncontested cases, in few or none of which were applications made for translating or printing papers, became ripe for hearing in the ordinary course, and were, therefore, disposed of by the Court out of their serial order. In the case of Appeals from the Original Side, the more protracted pendency of uncontested cases is accounted for by the fact that, in three out of the six cases disposed of without contest, the respondents could not be served, and further, and sometimes repeated, notices had to be applied for and issued; on the other hand, where the respondent intended to contest an Appeal, the very first notice was generally served, and the case became speedily ripe for disposal.

63. The general average for contested and uncontested Appeals of both the classes was 366 days as against 275 in 1881, showing an increase of 91 days or 33·09 per cent.

III.—ARREARS.

Arrears.

64. The following figures show the variations in the numbers of Appeals remaining undisposed of at the close of each year in the last twelve years.

Arrears of 1882 compared with the previous eleven years.

1871	105
1872	53
1873	64
1874	39
1875	64
1876	57
1877	55
1878	77
1879	117
1880	136
1881	168
Total...	935
Average ..	85
Compare 1882...	187

Causes of pendency.

65. Below are given the several stages in which the 187 undisposed-of Appeals stood at the close of the year:—

Judgments reserved	6
Remitted on issues or further information or record called for ...	13
Postponed by order of Court or on account of death of parties...	7
Ready to be posted	19
Under translation or in the press	107
Notices not returned	31
Pending admission	4
Total...	187

FIRST APPEALS.

Pending appeals distributed according to the years of their institution.

66. These undisposed-of Appeals are again distributed below, according to the years in which they were filed.

1879	...	...	...	1
1880	...	...	...	10
1881	...	...	..	23
1882	...	...	...	153
			Total ..	187

B.—APPEALS FROM APPELLATE DECREES.

I.—INSTITUTIONS.

SECOND APPEALS.

Institutions.

67. The number of Appeals from appellate decrees, generally described as Second Appeals, filed in 1882, was 1,084 as against 1,002 in 1881 and 898 in 1880, showing an increase of 8·18 per cent. over the institutions of 1881 and of 20·71 per cent. over those of 1880.

Institutions of 1882 compared with the pevious eleven years.

68. The following figures show the variations in the institution of Appeals of this class from 1871 to 1882:—

1871	..	...	...	655
1872	...	...	..	811
1873	...	.	..	874
1874	...	..	...	690
1875	...	...	...	727
1876	...	...	...	861
1877		...	...	800
1878	.	...	...	706
1879	..	...	..	666
1880	...	...	...	898
1881	...	...	..	1,002
			Total ..	8,690
			Average .	790
			Compare 1882 ...	1,084

69. The above figures show that in no year since 1871 has such a large number of Second Appeals been filed as in 1882, the increase in 1882 over the average for the previous eleven years being 37·22 per cent.

Institutions of the past five years distributed by Districts.

70. The following table distributes, by Districts, the Second Appeals instituted in each of the years, 1877 to 1882:—

Districts.	1877.	1878.	1879.	1880.	1881.	Total.	Average per Annum.	Compare 1882.
Arcot (North)	28	6	6	24	22	86	17	17
Arcot (South)	45	37	40	82	72	276	55	52
Bellary...	16	19	17	19	16	87	17	25
Canara (South)	20	13	36	26	51	146	29	72
Chingleput	22	47	61	30	63	223	45	102
Coimbatore	17	14	19	20	36	106	21	49
Cuddapah	19	4	6	26	21	73	15	15
Ganjam...	24	17	9	11	28	89	18	18
Godavari	33	44	24	97	33	231	46	38
Kistna	19	51	24	11	25	130	26	14
Kurnool...	9	3	2	2	4	20	4	5
Madura...	136	48	46	43	41	314	63	57
Malabar (North)	68	52	38	50	64	272	54	80
Malabar (South)	93	38	91	131	126	529	106	153
Nellore...	7	4	3	8	12	34	7	16
Nilgiris...	...	1	1	2	2	6	1	...
Salem	13	35	31	23	39	141	28	47
Tanjore (North)	106	11	67	76	83	704	141	64
Tanjore (South)		101	71	95	94			83
Tinnevelly	62	76	24	55	63	280	56	73
Trichinopoly	48	20	26	41	65	200	40	35
Vizagapatam	15	15	22	26	42	120	24	69
Vizagapatam Agency	...	...	5	...	...	5	1	...
Total...	800	706	666	898	1,002	4,072	814	1,084
Average per District...	35	31	29	39	44	177	37	47

SECOND APPEALS.

71. As usual, the largest number of Second Appeals has been contributed by the District of South Malabar, the proportion of contribution being nearly 14½ per cent. of the entire institutions. The increased contributions of the following Districts are also noteworthy, viz., Chingleput 102, North Malabar 80, Tinnevelly 73, South Canara 72, Vizagapatam 69, and Coimbatore 49.

Institutions of 1882 classified according to subject-matter.

72. Classifying the 1,084 Second Appeals of 1882 according to the nature of their subject-matter, we obtain the following proportions :—

Class.	Number.	Percentage.
Relating to money or moveables...	108	9·96
Under the Rent Recovery Act	80	7·38
Relating to title and other Suits...	896	82·66
Total...	1,084	100·00

Institutions of 1882 classified according to value.

73. Classifying these same Appeals again according to the value of their subject-matter, we obtain the following results :—

Grades of value.	Number.	Percentage.
Not exceeding 10 Rupees	67	6·18
Above 10 Rupees and not exceeding 50 Rupees ...	204	18·82
„ 50 „ 100 „ ...	146	13·47
„ 100 „ 500 „ ...	365	33·67
„ 500 „ 1,000 „ ...	102	9·41
„ 1,000 „ 2,500 „ ...	74	6·83
„ 2,500 „ 5,000 „ ...	13	1·20
Admitting of no money valuation	113	10·42
Total ...	1,084	100·00

Second Appeals not exceeding 500 Rs in value.

74. The total number of Second Appeals for property not exceeding 500 Rupees in value was 782 as against 698 in 1881, and these are, with reference to the nature of their subject-matter, distributed as follows :—

Grade of value.	In Suits for money or moveable property.	In Suits for immoveable property.	In other Suits.	Total.	Percentage.
Not exceeding 10 Rupees	...	40	27	67	8·57
Above 10 Rupees and not exceeding 50 Rupees	1	132	67	200	25·58
„ 50 „ 100 „	4	119	21	144	18·41
„ 100 „ 500 „	6	313	52	371	47·44
	11	604	167	782	100·00

75. The 11 Second Appeals shown in the above statement as for money or moveables were Appeals arising in suits, in which the original valuation was above 500 Rupees, but in which, the Lower Courts having granted a part only of the relief sought, Second Appeals were instituted for relief of values as above specified.

76. The 113 Second Appeals, which admitted of no money valuation, were principally Appeals arising in suits for declaratory decrees, for establishment of personal rights, and the like.

Aggregate value.

77. The total value of property involved in Second Appeals during the year amounted to Rs. 3,44,505 as against Rupees 3,93,052 in 1881.

II.—DISPOSALS.

Disposals.

78. Including 608 Second Appeals which were pending at the end of 1881 and 3 restored to the file in 1882, the total for disposal was 1,695 as against 1,377 in 1881, being an increase of 23·09 per cent, and, as will appear from the following

SECOND APPEALS.

Total for disposal in 1882 compared with the previous eleven years.

figures, the largest number since (or previous to) 1871, exceeding the annual average for the preceding eleven years by 653 Appeals or 52·67 per cent :—

1871	...	...	1,056
1872	...	...	1,110
1873	..	...	1,095
1874	...	...	1,033
1875	...	...	856
1876	...	...	1,097
1877	...	...	884
1878	...	...	881
1879	...	...	902
1880	...	...	1,168
1881	...	...	1,377
		Total...	11,459
		Average...	1,042
		Compare 1882...	1,695

Mode of disposal.

79. Of these, 973 were disposed of in the following manner as against 769 in 1881, leaving 722 undisposed of at the close of the year.

Disposed of.			Number of Second Appeals disposed of.	Percentage.	
Without trial			116	100·00	11·92
Without contest.	Decree of Lower Court.	Confirmed...	52	61·90	8·63
		Modified	4	4·76	
		Reversed	14	16·67	
		Remanded...	14	16·67	
			84	100·00	
After contest.	Decree of Lower Court.	Confirmed...	482	62·35	79·45
		Modified	79	10·22	
		Reversed	126	16·30	
		Remanded	86	11·13	
			773	100.00	
		Grand Total ...	973		100·00

80. 'Without trial' includes cases rejected in the Admission Court.

Disposals of 1882 compared in detail with the previous eleven years.

81. The subjoined table exhibits the work for the years, 1871 to 1882, classified according to the various modes of disposal.

Mode of disposal.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	1878.	1879	1880.	1881.	Total.	Average.	Compare 1882.
Dismissed for default, withdrawn, &c. ...	31	27	25	10	17	46	15	14	25	172	146	528	48	116
Decree confirmed. ...	572	704	638	720	511	862	558	525	476	423	413	6,402	582	534
,, modified, reversed, &c....	154	158	89	174	92	105	136	124	131	198	210	1,571	143	323
Total...	757	889	752	904	620	1013	709	663	632	793	769	8,501	773	973

SECOND APPEALS.

Disposals in 1882 and previous years.

82. It will be seen that, while the aggregate disposals in 1882 exceeded those of 1881 by as many as 204 Appeals or 26·53 per cent and the average disposals for the eleven years since 1871 by 200 Appeals or 25·87 per cent. the number disposed of after trial in 1882 was in excess of that in 1881 by 234 Appeals or 37·56 per cent. and of the average for the preceding eleven years by 132 Appeals or 18·21 per cent.

Average duration.

83. The average pendency of contested and uncontested Second Appeals was 266 and 149 days, respectively. As to the greater length of the pendency of the contested cases, the explanation given in the case of First Appeals from the Mufassal Courts (para. 62 above) applies also to Second Appeals. The general average of the pendency of contested and uncontested Second Appeals was 242 days as compared with 206 in 1881 and 110 in 1880, showing an increase of 17·49 and 120 per cent., respectively.

III.—ARREARS.

Arrears.

Arrears of 1882 compared with the previous eleven years.

84. The following figures show the number of Second Appeals that remained undisposed of at the close of each of the years, 1871 to 1882 :—

1871	... ...	299
1872	... ...	221
1873	... ...	343
1874	... ...	129
1875	... ...	236
1876	... ...	84
1877	... ...	175
1878	... ...	218
1879	... ...	270
1880	... ...	375
1881	... ...	608
	Total...	2958
	Average...	269
	Compare 1882...	722

Causes of pendency.

85. Notwithstanding the increased proportion of disposals, the number of Second Appeals pending at the close of 1882 was about 1¾ times in excess of the average of the eleven years preceding 1882. The various stages in which the 722 undisposed-of Second Appeals stood on the 31st December 1882 appear in the following statement:—

Judgments reserved	... 22
Remitted on issues or further information or record called for ...	... 54
Postponed by order of the Court or on account of death of Respondent	... 18
Ready to be posted	... 206
Under translation	... 180
In the press	... 47
Notices not returned	... 156
Pending admission	... 39
	Total... 722

86. The years in which the undisposed-of Second Appeals were filed are as follows:—

1878	... ...	3
1879	... ...	1
1880	... ...	7
1881	... ...	44
1882	... ...	667
	Total...	722

87. A scrutiny of the above figures give the following results:—

268 Appeals (being cases remitted on issues or postponed by order of the Court, cases in which notices were not returned, and cases pending admission) were cases which could not have come on for hearing within the year. 227 (under translation and in the press) were cases which the High Court Establishment was unable to make ready for hearing owing to the increase in the preliminary work of translating and printing documents and evidence. The remaining 227 Appeals (Judgment-reserved cases and cases ready to be posted) were cases standing over for adjudication.

APPEALS FROM ORDERS.

C.—APPEALS FROM ORDERS.

I.—INSTITUTIONS.

Institutions. Institutions of 1882 compared with the previous eleven years.

88. The number of Appeals from orders filed in the year was 201 as against 204 in 1881. Of this number, 161 were Appeals against original orders, and 40 against appellate orders. The following statement shows that in no previous year excepting 1881 was such a large number of Appeals of this class filed, the increase over the average for the eleven years beginning from 1871, being 45·65 per cent.

1871	...	...	149
1872	...	...	147
1873	...	...	112
1874	...	...	127
1875	...	...	127
1876	...	...	122
1877	...	...	130
1878	...	...	83
1879	...	...	116
1880	...	...	199
1881	...	...	204
		Total...	1516
		Average...	138
		Compare 1882...	201

The same distributed by Districts.

89. Below is given a distribution, by Districts, of the 201 Appeals against orders filed in 1882 :—

	Number.	Percentage.
Arcot (North)	5	2·49
Arcot (South)	1	·50
Bellary	4	1·99
Canara (South)...	16	7·96
Chingleput	12	5·97
Coimbatore	6	2·98
Cuddapah	9	4 48
Ganjam	1	·50
Godavari	11	5·47
Kistna	10	4·97
Kurnool	...	...
Madura	18	8·96
Malabar (North)	8	3·98
Malabar (South)	17	8·46
Nellore	4	1·99
Nilgiris	1	·50
Salem	6	2·98
Tanjore (North)	21	10·45
Tanjore (South)	23	11·44
Tinnevelly	8	3·98
Trichinopoly	7	3·48
Vizagapatam	13	6·47
	201	100·00

The same classified according to subject-matter.

90. The above Appeals are again distrituted below according to the nature of the orders appealed against.

	Number.	Percentage.
Against orders in execution	69	34·33
Against orders on review	14	6·97
Against orders in Insolvency Jurisdiction	11	5·47
Against orders relating to certificates of heirship ...	20	9·95
Against remand orders	7	3·48
Against orders of a miscellaneous character... ...	80	39·80
Total...	201	100·00

II.—DISPOSALS.

APPEALS FROM ORDERS.

Disposals.

91. Including 90, which were pending at the close of 1881, there were 291 Appeals on the file for disposal, of which 195 were disposed of with the following results, leaving 96 undisposed of at the end of the year :—

Disposed of.			Number.	Percentage.	Mode of disposal.
Without trial			26	100·00	12·89
Without contest	Order of Lower Court.	Confirmed ...	13	·25	8·25
		Modified	...	...	
		Reversed	3	18·75	
		Total ...	16	100·00	
After contest	Order of Lower Court.	Confirmed ...	100	65·36	78·86
		Modified	6	3·92	
		Reversed	47	30·72	
		Total...	153	100·00	
		Grand Total..	195		100·00

Disposals classified according to subject-matter.

92. Of the 195 Appeals disposed of as above, 70 related to orders in execution matters, 5, to orders in review, 8, to orders in matters of Insolvency Jurisdiction, 24, to orders relating to Certificates of Heirship, 8, to remand orders, and 80, to orders of a miscellaneous nature.

Disposals in 1882 compared with the previous eleven years.

93. The following comparative statement shows the work done by the High Court under the head of Appeals against orders during the years, 1871 to 1882 ;—

Year.	Received in the Year.	Total for disposal.	Disposed of.	Pending at the end of the year
1871 ...	149	180	141	39
1872 ...	147	186	164	22
1873	112	134	107	27
1874 ...	127	154	114	40
1875 ...	127	167	133	34
1876 ...	122	156	141	15
1877 ...	130	145	118	27
1878 ...	83	110	76	34
1879 ..	115	149	95	54
1880 ...	199	253	173	80
1881 ...	204	284	194	90
1882 ...	201	291	195	96

Average duration.

94. The average pendency of the contested Appeals against orders was 183 days, and of the uncontested 154. The general average for the contested and uncontested cases was 177 days.

D—CIVIL REVISION PETITIONS.

REVISION PETITIONS.

I.—INSTITUTIONS.

Institutions.

95. There were filed in the year under review 312 Petitions under Section 622 of the Civil Procedure Code as against 177 in 1881. The increase in this class of work (over 76 per cent.) is very noteworthy.

REVISION PETITIONS.

Distribution by Districts.

96. Distributing the 312 Civil Revision Petitions according to the Districts from which they came, we obtain the following results :—

	Number.	Percentage.
Arcot (North)	18	5·77
Arcot (South)	23	7·37
Bellary	13	4·17
Canara (South)	19	6·09
Chingleput	25	8·01
Coimbatore...	7	2·24
Cuddapah	11	3·53
Ganjam	4	1·28
Godavari	10	3·21
Kistna	4	1·28
Kurnool	1	·32
Madura	32	10·26
Malabar (North)	15	4·81
Malabar (South)	20	6·41
Nellore	5	1·60
Nilgiris	2	·64
Salem	8	2·56
Tanjore (North)	34	10·90
Tanjore (South)	24	7·69
Tinnevelly	18	5·77
Trichinopoly	5	1·60
Vizagapatam	10	3·21
Madras (Small Cause Court)	4	1·28
Total ..	312	100·00

Disposals

97. There were 70 Civil Revision Petitions undisposed of at the close of 1881, which, with the 312 filed in the year under review, made 382 for disposal. Of this number, 223 were disposed of as against 162 in 1881, leaving 159 undisposed of at the close of the year.

Comparison of the last six years' work.

98. Below is a comparative statement of Civil Revision Petitions, instituted, disposed of, and pending, for the years, 1877 to 1882.

Year.	Pending.	Received during the year.	Total for disposal.	Disposed of during the year.	Pending at the end of the year.
1877 ...	...	1	1	1	..
1878 ...	...	58	58	44	14
1879 ...	14	47	61	38	23
1880 ...	2	206	229	174	55
1881 ...	55	177	232	162	70
1882 ...	70	312	382	223	159

MISCELLANEOUS CASES.

E.—MISCELLANEOUS CASES.

INSTITUTIONS.

Institutions. Disposals.

99. The total number of Civil Miscellaneous Petitions filed in 1882 was 559 as against 533 in 1881, showing an increase of 4·88 per cent.

II.—DISPOSALS.

100. There were 138 Civil Miscellaneous Petitions undisposed of at the close of 1881, which, together with the 559 filed in the year under review, made 697 for disposal. Of these, 512 of the classes given below were disposed of, leaving 185 undisposed of at the close of the year.

Disposals classified according to subject-matter

60 for review of judgments,
61 for admission of appeals presented out of time,
7 for amendment of High Court decrees,
4 for admission of appeals to the Privy Council,
16 for leave to appeal in *formâ pauperis*,
16 for security from appellants for respondents' costs,
67 for stay of execution of decrees under appeal,
11 for transfer of suits,
106 for bringing in fresh parties on the record,
1 for execution of the decrees or orders of the Privy Council.
12 for restoration to file of appeals dismissed for default, and
151 of a miscellaneous character.

512

MISCELLANEOUS CASES.

101. The number of Civil Miscellaneous Petitions disposed of in 1882 corresponds exactly with the number disposed of in 1881, and is in excess of the disposals of the years, 1879 and 1880, by 93·21 and 41·05 per cent. respectively.

Disposals of the past three years classified according to subject-matter.

102 The following statement shows, in detail, the nature of the petitions dealt with in the 4 years, 1879, to 1882.

Subject-matter.	1879.	1880.	1881.	Total.	Average.	Compare 1882.
For review of judgments	31	54	49	134	45	60
For admission of appeals presented out of time ...	56	74	57	187	62	61
For amendment of decrees	3	6	6	15	5	7
For admission of appeals to the Privy Council ...	6	9	6	21	7	4
For leave to appeal in *formâ pauperis*	10	11	27	48	16	16
For security from Appellants for Respondents' costs.	11	13	22	46	15	16
For stay of execution of decrees under Appeal ..	13	30	57	100	33	67
For transfer of suits, &c.	11	15	19	45	1	11
For bringing fresh parties on record	59	63	82	195	65	106
For execution of the decrees or orders of the Privy Council	...	4	...	4	1	1
For restoration to file of Appeals dismissed for default.	...	...	16	16	5	12
Of a miscellaneous character	74	84	171	329	110	151
Total ...	265	363	512	1,140	379	512

OTHER WORK.

F—OTHER WORK.

Disposed of.

103. Besides the appeals and petitions above dealt with, the High Court, Appellate Side, disposed of the following work:—

18 Appeals under the Letters Patent from orders made by a single Appellate Bench Judge in appeals and petitions brought for admission,
16 References from Small Cause Courts under Section 617 of the Code of Civil Procedure,
3 References from the Board of Revenue under the Stamp Act,
1 Reference from the Presidency Small Cause Court.

Comparison of past seven years' work

104. The following statement shows how the work under this head varied for the past seven years.

	1876.	1877.	1878.	1879.	1880.	1881.	1882.
Letters Patent Appeals...	...	...	...	...	25	24	18
Matrimonial cases	2	...	2	2	1	4	...
References from Small Cause Courts	29	17	23	22	16	20	16
References from the Revenue Board	1	...	...	2	2	2	3
Other References	...	2	1	2	...	2	1

APPEALS OF ALL CLASSES.

G.—APPEALS OF ALL CLASSES.

Comparison of appeals of all classes for the past twelve years.

105. Below is given a comparative statement of Civil Appeals of all classes instituted, disposed of, and pending, for the years, 1871 to 1882:—

Year.	Received.				Disposed of.				Pending at the end of the year.				Percentage of disposals to total for disposal.	Percentage of arrears to disposals.
	Appeals.	Second Appeals.	Civil Mis. Appeals.	Total.	Appeals.	Second Appeals.	Civil Mis. Appeals.	Total.	Appeals.	Second Appeals.	Civil Mis. Appeals.	Total.		
1871	152	655	149	956	158	757	141	1051	105	299	40	444	70·30	42·25
1872	173	811	147	1131	225	889	164	1278	53	221	22	296	81·14	23·16
1873	174	874	112	1160	163	752	107	1022	64	343	27	434	70·19	42·47
1874	133	690	127	950	159	904	114	1176	39	129	40	208	84·97	17·69
1875	149	727	127	1003	124	620	133	877	64	236	34	334	72·42	38·08
1876	139	861	122	1122	146	1013	141	1300	57	84	15	156	89 29	12 00
1877	158	800	130	1087	160	709	118	987	55	175	27	257	79 40	26·04
1878	137	706	83	926	115	663	76	854	77	218	34	329	72·19	38·53
1879	150	666	116	932	124	632	95	851	117	270	54	441	67·49	51 82
1880	199	898	199	1296	180	793	173	1146	136	375	80	591	65 98	51·57
1881	192	1002	204	1393	160	769	194	1123	168	608	90	866	56·46	77·11
1882	186	1084	201	1471	167	973	195	1335	187	722	96	1005	57·08	75·56

106. The above figures show that the total number of Civil Appeals of all classes disposed of during the year under review exceeds that in 1881 by 212 cases or 18·79 per cent, and the average for the preceding 11 years by 275 cases or 25 85 per cent. It will be observed that the important class of work, which comes before the Court as Civil Revision Petitions (Section 622, C. P. C., paras. 95—98 above) is not taken into account in the above statement.

Comparison for twelve years of cases remitted on issues, &c.

107. The following table shows for a period of twelve years the number of cases which the High Court at the first hearing found it necessary to remit to the Lower Courts for return of findings on issues, for taking of fresh evidence, and the like:

Year.	Appeals.	Second Appeals.	Civil Miscellaneous Appeals.	Total.
1871	11	110	12	133
1872	19	55	15	89
1873	24	94	15	133
1874	13	123	24	160
1875	8	23	7	38
1876	12	37	10	59
1877	8	54	10	72
1878	6	69	12	87
1879	8	88	13	109
1880	27	113	18	158
1881	39	144	18	201
Total..	175	910	154	1,239
Average .	16	83	14	113
Compare 1882..	13	164	16	193

APPEALS OF ALL CLASSES.

108. These figures prove that, even in this branch of business, the year under review, though falling short of 1881 slightly, *i. e.*, by 8 cases or 3·98 or nearly 4 per cent., was in excess of the average for the preceding 11 years by 80 cases or 70·80 or nearly 71 per cent.

Appeals to the Privy Council in 1882.

109. The two following statements show (with reference to para. 18 of Madras Government Order, No. 1650, of 16th July 1879) the statistics of appeals to the Privy Council for 1881.

(i).

Appeals to Her Majesty's Privy Council for 1882.

Pending at the beginning of the year.	Admitted during the year.			Total for disposal.	Disposed of during the year.						Pending at the close of the year.		
	By the High Court.	By the Privy Council.	Total.		Confirmed.	Modified.	Reversed.	Remanded.	Dismissed for default, withdrawn, or compromised.	Total.	In the Privy Council.	In the High Court under preparation.	Total.
7	2	...	2	9	...	...	2	...	2	4	2	3*	5

(ii).

Applications for leave to appeal to Her Majesty's Privy Council, &c., for the year 1882.

Applications for leave to appeal to the Privy Council.

Pending at the beginning of the year.	Received during the year.	Total for disposal.	Disposed of during the year.				Pending at the close of the year.
			Admitted.	Rejected.	Dismissed for default, withdrawn, compromised, or struck off for non-payment of security, &c.	Total.	
4	3	7	2	1	1	4	3

* The preparation and despatch of these was completed before the vacation of 1883.

Original Jurisdiction.

COURTS UNDER THE HIGH COURT.

At the Presidency Town.

PRESIDENCY COURT OF SMALL CAUSES.

ORIGINAL JURISDICTION.

COURTS UNDER THE HIGH COURT.

AT THE PRESIDENCY TOWN.

Presidency Court of Small Causes.

Legislation in 1882.

110. Act No. XV of 1882, consolidating and amending the law relating to the Presidency Court of Small Causes, came into force on the 1st of July 1882.

Strength of the Court.

111. The Presidency Court of Small Causes was presided over in 1882, as in 1881, by three Judges, aided by an officer, who, as a Clerk of the Court, and latterly under the new Act as Registrar, exercised judicial powers of a limited nature.

Local Jurisdiction.

112. The local jurisdiction of the Court was the same as in 1881, covering an area of 26·82 square miles, and the population counted 4,05,848 heads according to the Census of the same year.

Receipts & Charges.

113. Under the new Act, however, the pecuniary jurisdiction of the Court has been raised from Rs. 1,000 to Rs. 2,000, and suits are now receivable in this Court against defendants who do not actually and voluntarily reside or carry on business or personally work for gain within its local limits, provided that certain conditions existing, leave of the Court has been taken before institution, or that such defendants have acquiesced in such institution.

114. The total receipts and charges of the Court during the year are detailed below :—

Receipts.			*Charges.*		
(1) Process fees... ...	Rupees	30,441	(1) Refunds	Rupees	16,359
(2) Other Court fees ...	,,	92,019	(2) Salaries of Judges and Establishment ...	,,	83,444
(3) Fines...	,,	10	(3) Contingent charges ...	,,	796
(4) Stamp duty and penalty..	,,	313			
(5) Unclaimed deposits ...	,,	460	Total	,,	1,00,599
			Surplus in favor of the Court	,,	22,644
Total Rupees...		1,23,243	Total	,,	1,23,243

SUITS.

A.—SUITS.

I.—INSTITUTIONS.

Institutions.

115. 21,259 Small Causes and 37 Summary Suits on Negotiable Instruments under Chapter XXXIX of the Civil Procedure Code, in all 21,296 Suits, were instituted in 1882. As compared with 1881, there has been in Small Causes, a decrease of 3,187, and in Summary Suits, an increase of 11, the net decrease being 3,176 Suits.

116. 215 of the Small Cause *Suits* instituted are stated to be for real property and are presumably cases entertained by the Court in the exercise of the special jurisdiction vested in it by Section 91 of Act No. IX of 1850, (now limited by Section 41 of Act No. XV of 1882 to cases of tenancy or permissive occupancy). Of these, 126 have been ascertained to be cases brought since 1st July 1882, the date on which, as already stated, the last named Act came into force, and are, according to its express words, "applications" and ought not therefore, strictly speaking, to be included under "Suits."

117. The abovementioned 215 "Real Property" Suits being excluded, the remaining 21,044 Small Causes are distributed below according to the nature of their subject-matter. SUITS.

Institutions of 1882 classified according to subject-matter.

On contract in writing	8,151
For goods sold	5,717
On contract not in writing	1,356
For money had and received	1,976
For rent	1,691
On account stated	1,380
For moveable property or its value...	412
For wages, work and materials	301
For damages	39
On breach of contract	21
Total ...	21,044

118. As compared with 1881, 1882 shows an increase of 622 in Suits for goods sold, but the decrease, more or less considerable, in every other class of Suits accounts for the decrease in the total institutions.

119. The total value of the 21,259 Small Causes instituted was Rupees 7,88,483, giving an average of Rupees 37 per Suit, or one Rupee more than in 1881, and that of the 37 Summary Suits was Rupees 15,972, giving an average of Rupees 431 per Suit or Rupees 107 less than in 1881. Aggregate and average value.

120. Of the former, 183 Suits (including 5 applications for possession of immoveable property) exceeded Rupees 500 in value, and include 32 Suits which, being over Rupees 1,000 in value, were evidently received in the latter half of 1882 in the exercise of the increased pecuniary jurisdiction conferred by the new Act. The remaining 21,076 Suits include 210 applications for possession of immoveable property, which being excluded, the number of Suits for other than immoveable property amounts to 20,866. These are classified below according to grades of value. Institutions of 1882 classified according to value.

Grade of value.	Number.	Percentage.
Not exceeding Rupees 10	9,885	47·37
Above Rupees 10 and not exceeding Rupees... 50	8,019	38·43
„ „ 50 „ „ 100	1,673	8·02
„ „ 100 „ „ 500	1,289	6·18
Total Rupees ...	20,866	100·00

121. Of the 37 Summary Suits abovementioned, 1 was for a sum not exceeding Rupees 10, 7 for sums not exceeding Rupees 50, 4, for sums not exceeding Rupees 100, 12, for sums not exceeding Rupees 500, and 8. for sums not exceeding Rupees 1,000. The remaining 5 Suits were for sums exceeding Rupees 1,000.

122. There were thus, in all, 37 Suits only (including Small Causes and Summary Suits,) which, but for the alteration of the law above alluded to, would have been filed on the Original Side of the High Court.

123. The extension of the Court's pecuniary jurisdiction has therefore so far contributed no material increase to the Court's file. As to the effect of the alteration of the law as regards non-resident defendants, no opinion can be offered for want of details.

II.—DISPOSALS.

124. Including 3,450 Suits pending at the close of 1881, the total for disposal was 24,746. Of these, 22,910 Suits, including 222 applications for recovery of possession of immoveable property, were disposed of. Disposals.

125. The number of Suits disposed of during the year exceeded the institutions by 1,614 or a little over 7 per cent., but fell short of the disposals of 1881 by 832 or a little over 3 per cent.

SUITS.

Mode of disposal.

126. The following table exhibits the general result of the suits disposed of :—

Disposed of.		Number.	Percentage.	
Without trial		1,908	100·00	8·33
Without contest.	Compromised	6,527	37·61	75·74
	Decreed on confession	1,589	9·16	
	Do. *ex parte*	9,202	53·03	
	Dismissed *ex parte*	35	·20	
	Total...	17,353	100·00	
After contest ...	Decreed for plaintiff	2,802	76·79	15·93
	Do. for defendant.	835	22·88	
	By arbitration	12	·33	
	Total...	3,649	100·00	
	Grand Total...	22,910	...	100·00

127. The above figures show that the proportion of contested Suits disposed of to total disposals has risen by only about one per cent. as compared with 1881. There has also been a slight reduction (nearly 4½ per cent.) in the proportion of the contested cases decided in favor of plaintiff, accounting for a corresponding increase in that of cases decided for defendant. A little over three-fourths of the whole number disposed of were uncontested cases, and more than two-thirds of them (53·03) were decreed *ex parte*.

Average duration.

128. The average duration of the cases disposed of after contest was, in 1882, 52 days against 53 in 1881, and that of the cases decided without contest, 45 against 40.

III.—ARREARS.

Arrears.

129. There were 1,836 Suits pending at the close of the year. Of these, 1,621 were pending return of summons, 2 awaited return of commission, and 2 were pending award by arbitrators. The remaining 211 were ready for final disposal and are stated to be cases adjourned at the request of parties. Of these 1,836 Suits, 1,102 Suits were pending for periods of six weeks and under, 176 for between 6 weeks and 3 months, 115 for between 3 and 6 months, and 267 for between 6 months and one year. The remaining 176 Suits were pending for various periods exceeding a year : service of summons had not been effected in 98, as the parties could not be found, and in one, a commission had to be returned, and the remaining 77 awaited final disposal. The oldest of these Suits has been on the file for 1,455 days, several summonses having been issued ineffectually against the defendant.

Unregistered plaints.

130. At the end of the year, no plaints were pending registration.

Claims under Act X of 1870.

131. No claims under the Land Acquisition Act No. X of 1870 came before the Court during the year.

EXECUTIONS.

B.—EXECUTONS.

Institutions disposal &c.

132. 8,375 applications for execution were received during the year, of which 20 related to decrees passed by other Courts. Including 3,922 applications pending at the end of 1881 and 2,505 revived, the total for disposal was 14,802. Of these, 700 were either withdrawn, or otherwise not prosecuted, or rejected or dismissed, and 170 were transferred to other Courts for execution. The net total for disposal was thus reduced to 13,932. 6,048 of these were disposed of after issue of process, satisfaction being obtained through the Court, in full in 5,631 cases, and in part in 417, and adjustments were made out of Court under Section 258 of the Code of Civil Procedure, in full in 1,049 cases, and in part in 98, and execution was wholly infructuous in 4,333 cases. The total disposed of was thus 11,528 cases.

Decrees how executed.

133. Viewed with reference to the modes in which disposals were effected, the results are as follows :—

The judgment-debtor was arrested but released	711	Cases.
Moveable property was attached but released	378	,,
Do. do. was sold	293	,,
Possession of immoveable property was given	27	,,
And the judgment-debtor was imprisoned	390	,,
	1,799	

EXECUTIONS.

Average detention of Judgment-debtors in Jail.

134. Of the 390 judgment-debtors who were imprisoned, 266 owed 50 Rupees and under, and the average terms for which imprisonment was ordered and suffered were 20 and 9 days respectively, and 124 persons who owed more than 50 Rupees were ordered to undergo imprisonment for an average term of 70 days, but actually suffered imprisonment for 29 days only on an average. The remaining 9,729 cases are shown to be cases in which execution was effected otherwise than as shown above, and include cases in which the judgment-debtor paid the debt before even coercive measures were adopted.

Amount realized.

135. Rupees 64,596 were realized in Court on account of suitors after issue of process, and Rupees 80,784 were monies voluntarily paid into Court, the total amount realized being Rupees 1,45,380 or Rupees 14,704 less than in 1881.

Average duration.

136. The average duration of the disposed-of applications for execution was 53 days.

Arrears.

137. At the close of 1882, 2,404 cases were pending. Of these, 16 awaited adjudication of claims, and 2,388 were ready for final disposal. There were only 526 cases pending for more than a year at the end of 1882 against as many as 1,333 in 1881, but the oldest of these had been on the file for 1,117 days.

C.—INSOLVENCY.

INSOLVENCY.

Institutions and disposals.

138. 76 applications for declarations of insolvency were received during the year; of these, 70 were from judgment-debtors under arrest or imprisonment, and 6 from judgment-debtors at large. Including 19 applications pending at the close of 1881, the total for disposal was 95. Of these, 62 were either withdrawn or otherwise not prosecuted, and 21 were disposed of, a receiver being appointed in only seven cases.

Arrears.

139. At the close of the year, 12 applications relating to 12 persons were left undisposed of; 6 of these awaited return of notice, and the remaining 6 were pending final disposal. No application was pending more than a year, the longest pendency being one of 360 days.

Amount realized and disbursed.

140. 4 Estates of Insolvents were placed in charge of receivers during the year, and 4 had been pending in the hands of receivers from the end of 1881. In none of these were proceedings finally closed in the year, so that all the 8 Estates were in the hands of receivers at the close of the year under review. The amount realized, including Rupees 29 in the hands of receivers at the end of 1881, was Rupees 209, out of which Rupees 148 were paid in satisfaction of creditor's claims, leaving Rupees 61 in the hands of receivers at the close of the year.

141. It may here be noted that the High Court has on the 20th April last held that this jurisdiction is not exerciseable by the Presidency Court of Small Causes.

D.—MISCELLANEOUS CASES.

MISCELLANEOUS CASES.

142. No register of applications to the Presidency Small Cause Court, other than for execution of decrees and declaration of Insolvency, was kept during the previous years, and this class of applications is therefore first dealt with in this report.

Institutions and disposals.

Mode of disposal.

143. 765 applications of this kind were received during the year. Of these, 730 were disposed of, as shown below;—

Without trial		28
Without contest	Compromised	3
	Ordered on confession	2
	Ordered *ex parte*	552
	Dismissed *ex parte*	27
After contest	Ordered for petitioner	79
	„ counter-petitioner.	39
	Total...	730

Average duration.

144. The average duration of contested applications disposed of was 11 days, and of uncontested, 2 days.

Arrears.

145. 35 applications were pending at the close of the year, all of which were ready for final disposal.

CIVIL JUSTICE.

ORIGINAL JURISDICTION.

COURTS UNDER THE HIGH COURT.

COURTS UNDER THE HIGH COURT.

IN THE INTERIOR.

In the Interior.

Classes of Courts exercising Original Jurisdiction.

146. In 1882, there were 9 classes of Courts exercising original jurisdiction in the interior. These are

1. Village Munsifs' Courts.
2. Revenue Courts.
3. Cantonment Courts of Small Causes.
4. Courts of Sub-Magistrates as District Munsifs in Agency Tracts.
5. Courts of Assistant Agents.
6. Courts of Agents.
7. District Munsifs' Courts.
8. Subordinate Judges' Courts.
9. District Courts.

Total Institutions.

147. The total number of Suits instituted in all these classes of Courts in 1882 was 2,00,583, being 6,988 less than in 1881.

148. As observed in previous years, only a very small proportion of Village Munsifs exercise judicial functions, it being optional with suitors, when so advised, to seek the intervention of other tribunals. For this reason, the work of these Courts has this year also been excluded from the statistics of the ordinary Courts and separately dealt with in this report.

VILLAGE MUNSIFS' COURTS.

Village Munsifs' Courts.

149. The returns received under this head in 1882 are more complete and probably more reliable than those in previous years.

Number of working Courts.

150. There were in all 36,422 Village Munsifs in 1882. Of these, the number of Village Munsifs that actually exercised Civil powers was 2,953.

Suits instituted.

151. 46,947 Suits were instituted in these Courts, being 23·39 per cent. of the total original litigation of 1882. As compared with 1881, there has been a decrease of 709 Suits.

152. Of these, 46,166 Suits came before the Village Munsifs for adjudication under Section V of Regulation IV of 1816. The remaining 781 were either entertained by them as arbitrators under Section 27 of that Regulation, or were referred to Village Panchayats under Regulation V of 1816.

SUITS.

Number of Courts and of Institutions in 1882 compared with the previous ten years.

153. Below are shown the variations from year to year in the total number of Village Munsifs, the number who actually tried Civil Cases, and the total institutions, for the years, 1872 to 1882.

Year.	Village Munsifs.		Percentage of Col. 3 to Col. 2.	Suits instituted.
	Total number.	Number who tried Cases.		
1	2	3	4	5
1872	43,320	1,983	4·57	43,927
1873	44,590	2,059	4·62	50,815
1874	44,822	2,116	4·72	49,309
1875	44,032	2,266	5·14	48,673
1876	44,369	2,373	5·35	53,600
1877	46,253	1,984	4·29	43,906
1878	46,514	2,022	4·35	44,272
1879	46,930	2,047	4·36	45,176
1880	45,661	2,293	5·02	44,980
1881	38,631	2,293	5·94	47,656
Total ...	4,45,122	21,436	4·81	4,72,314
Average ...	44,512	2,143	4·81	47,231
Compare 1882 ...	36,422	2,953	8·10	46,947

Five years' institutions distributed by Districts.

154. The following is a comparative statement showing the distribution, by Districts, of these Suits for the five years, 1878 to 1882.

District.	Average total number of Village Munsifs.	1878.		1879.		1880.		1881.		1882.	
		Number of Village Munsifs who actually exercised jurisdiction.	Suits instituted.	Number of Village Munsifs who actually exercised jurisdiction.	Suits instituted.	Number of Village Munsifs who actually exercised jurisdiction.	Suits instituted.	Number of Village Munsifs who actually exercised jurisdiction.	Suits instituted.	Number of Village Munsifs who actually exercised jurisdiction.	Suits instituted.
Arcot (N). ...	4,943	165	1,925	155	1,559	165	1,516	165	1,755	145	1,460
Arcot (S). ...	2,966	49	2,338	46	2,412	58	1,981	58	2,289	69	1,979
Bellary ...	2,075	1	1	1	1	1	3	1	146	4	290
Canara (S)....	1,063	16	467	18	337	14	453	14	377	14	478
Chingleput .	1,965	25	644	39	704	39	591	39	976	61	1,226
Coimbatore .	1,253	192	1,995	213	2,762	221	2,170	221	2,239	194	2,927
Nilgiris ...	34	3	297	3	364	3	314	3	367		
Cuddapah ...	2,122	20	479	12	426	11	385	11	330	22	439
Ganjam ...	2,969	33	673	45	506	17	465	17	344	25	593
Godavari ...	1,584	89	1,610	89	1,868	239	4,378	239	5,173	479	4,305
Kistna ...	1,828	190	2,070	226	2,746	254	2,856	254	3,467	252	2,369
Kurnool ...	885	3	267	3	203	2	249	2	248	2	215
Madura ...	5,952	378	9,112	394	8,241	62	8,987	62	6,583	687	6,902
Malabar (N).	423	11	245	14	308	410	316	410	318	11	253
Malabar (S).		60	1,424	63	1,567	72	1,636	72	1,479	73	1,284
Nellore ...	1,724	47	414	49	454	50	788	50	628	63	826
Salem... ...	2,795	131	1,588	113	2,100	108	1,418	108	2,255	208	2,441
Tanjore (N).	1,693	100	3,781	92	3,439	110	2,743	110	5,396	133	4,602
Tanjore (S).		130	6,332	137	6,424	141	5,985	141	6,917	170	6,972
Tinnevelly...	1,156	350	4,589	295	4,924	276	4,923	276	4,085	288	3,828
Trichinopoly.	1,246	16	3,272	26	2,827	14	2,198	14	1,886	21	1,562
Vizagapatam	4,131	18	749	14	1,004	26	575	26	2,398	32	1,996
Total...	42,812	2,022	44,272	2,047	45,176	2,293	44,980	2,293	47,656	2,953	46,947
Average upon 21 Districts ...	2,039	96	2,108	97	2,151	109	2,142	109	2,269	140	2,235

SUITS.

Aggregate value of Suits.

155. The aggregate value of the Suits instituted in these Courts was Rupees 2,78,328, giving an average value of Rupees 6 per suit as in 1881.

156. Including 1 Suit received by remand and 18 Suits re-admitted, the admissions during the year on the files of these Courts aggregated 46,966.

Disposals.

157. Including 5,189* Suits pending at the end of 1881 and excluding transfers, the net total for disposal in 1882 was 52,168 Suits. Of these, 47,237 were disposed of, leaving 4,931 pending at the close of the year.

1882 compared with the previous ten years.

158. The following statement shows the variations from year to year in the total number of Suits for disposal, disposed of and in arrear, for the years, 1872 to 1882.

Year.	Suits for disposal.	Suits disposed of.	Suits pending	Percentage of suits disposed of to those for disposal.
1872	54,540	44,060	10,480	81
1873	61,324	50,439	10,885	82
1874	60,163	49,454	10,709	82
1875	59,271	48,908	10,363	83
1876	63,914	53,895	10,019	84
1877	54,006	44,168	9,838	82
1878	52,467	45,216	7,251	86
1879	52,405	45,929	6,476	88
1880	51,636	45,438	6,198	88
1881	53,342	48,108	5,234	90
Total...	5,63,068	4,75,615	87,453	84
Average...	56,307	47,561	8,745	84
Compare 1882...	52,168	47,237	4,931	90

Mode of disposal.

159. The following statement shows the manner in which these Suits were disposed of.

Disposed of.		Number.	Percentage.	
Without trial		8,972	100·00	13·99
Without contest...	Compromised	10,110	31·89	67·12
	Decreed on confession ...	11,516	36·32	
	Do. *ex parte*	9,467	29·86	
	Dismissed *ex parte*	611	1·93	
	Total...	31,704	100·00	
After contest ...	Decreed for Plaintiff ...	5,075	77·35	13·89
	Do. for Defendant ...	1,322	20·15	
	By arbitration	164	2·50	
	Total ..	6,561	100·00	
	Grand Total...	47,237		100·00

* The difference between these figures and those in para. 137 of the last year's report is due to the fact that great care was taken in 1882 in securing accuracy in the returns of this class of Courts.

REGULAR COURTS.

A.—SUITS.

I.—INSTITUTIONS.

160. The work of the Village Munsifs' Courts having been separately disposed of, that of the Regular Courts is treated of below, the review dealing first with all classes of Courts as a whole, and afterwards giving more detailed particulars.

161. 71,045 Ordinary Suits and 82,591 Small Causes, in all, 1,53,636 Suits, were instituted in 1882. Institutions.

162. The following table exhibits the proportions in which the several classes of Regular Courts have contributed to the total institution of original litigation in 1882. Contribution of the several classes of Courts to total original litigation.

Class of Courts.	Ordinary Suits.	Percentage.	Small Causes.	Percentage.	Total.	Percentage.
Revenue Courts. ...	5,305	7·47	...	...	5,305	3·45
Cantonment Courts of Small Causes. ...	...	...	487	·59	487	·32
Courts of Sub-Magistrates as District Munsifs in the Agency tracts. ...	406	·57	...	...	406	·27
Courts of Assistant Agents. ...	37	·05	...	...	37	·02
Courts of Agents to the Governor. ...	17	·03	...	..	17	·01
District Munsifs' Courts. ...	64,206	90·37	70,824	85·75	1,35,030	87·89
Subordinate Judges' Courts. ...	791	1·11	11,280	13·66	12,071	7·86
District Courts. ...	283	·40	...	...	283	·18
Total...	71,045	100·00	82,591	100·00	1,53,636	100·00

163. From the above, it will be seen that, out of 1,53,636 Suits, 1,35,436 or 88·16 per cent. were instituted in the Courts of the District Munsifs. This proportion falls slightly below that in 1881, *i. e.*, 89·09 per cent. The Subordinate Judges' Courts and Cantonment Small Cause Courts exhibit somewhat higher percentages, while the share that fell to the District Courts is a little less than in 1881. The proportion for the Revenue Courts also is slightly in excess of that in the preceding year.

164. The subjoined statement shows how the number of Ordinary Suits and Small Causes instituted in all the Regular Courts of the Presidency varied from year to year, for the years, 1872 to 1882.* Institutions of 1882 compared with the previous ten years.

Year.	Ordinary Suits.	Small Causes.	Total.
1872	63,033	91,666	1,54,699
1873	59,746	96,612	1,56,358
1874	66,290	99,136	1,65,426
1875	66,239	91,757	1,57,996
1876	66,466	93,725	1,60,191
1877	65,275	80,173	1,45,448
1878	69,735	88,095	1,57,830
1879	76,354	96,102	1,72,456
1880	71,461	90,804	1,62,265
1881	71,297	87,520	1,58,817
Total...	6,75,896	9,15,590	15,91,486
Average...	67,589	91,559	1,59,148
Compare 1882...	71,045	82,591	1,53,636

* The figures in this and in the next succeeding table do not agree with the corresponding figures in paras. 143 and 145 of the report for 1881, inasmuch as, in the former, Revenue suits, other than under the Rent Recovery Act, are excluded.

SUITS.

1882 Compared wih the previous years.

165. 1882 shows a decrease, in the total, of 5,181 Suits, as compared with 1881, and of 5,512 as compared with the average. There has been a falling off both in Ordinary Suits and Small Causes by 252, and 4,929 respectively. The institutions of Ordinary Suits exceeded the average, but were less than in the three previous years. In Small Causes, 1877 is the only year in the decade that shows a smaller file than 1882.

Institutions of the past five years distr buted by Districts.

166. The following is a comparative statement, showing the distribution, by Districts, of Ordinary Suits and Small Causes for the five years, 1878 to 1882.

District.	Ordinary Suits.					Small Causes.				
	1878.	1879.	1880.	1881.	1882.	1878.	1879.	1880.	1881.	1882.
Arcot (North) ...	3,580	4,971	3,560	3,785	3,424	2,422	3,160	3,676	3,254	2,878
Arcot (South) ...	2,964	3,029	2,809	2,880	2,872	4,740	4,539	3,956	3,972	3,987
Bellary	2,739	2,569	2,043	2,172	2,101	1,907	2,415	2,007	2,027	1,704
Canara (South) ...	2,675	2,569	2,748	2,880	3,245	2,205	2,230	2,297	2,644	2,592
Chingleput	2,789	2,634	2,952	2,602	2,887	2,114	2,072	2,069	1,881	1,865
Coimbatore	3,294	3,490	3,488	3,404	3395	1,551	1,584	1,515	1,631	1773
Nilgiris	90	141	160	177		255	472	360	272	
Cuddapah	2,912	3,237	2,375	2,388	2,140	2,886	3,404	2,278	2,051	1,651
Ganjam	2,224	2,228	2,307	2,408	2,593	2,020	2,297	3,441	2,379	2,282
Do. (Agency) ...	287	176	107	97	59	...	...	...	...	...
Godavari...	4,021	4,618	4,983	4,947	5,391	4,920	6,538	6,529	6,112	5,632
Do. (Agency) ...	...	...	...	152	183	...	...	...	...	...
Kistna	3,844	4,465	4,407	4,267	4,097	3,875	4,651	4,851	4,575	3,769
Kurnool	1,706	1,951	1,341	1,223	1,098	1,420	1,698	1,027	1,111	896
Madura	3,877	4,103	3,944	3,932	3,911	8,721	8,534	9,024	7,263	5,889
Malabar (North) ...	3,427	3,772	3,670	3,555	3,255	11,333	11,678	11,144	10,732	9,964
Malabar (South) ...	7,675	8,328	8,389	7,775	7,767	9,010	10,043	9,859	8,993	8,381
Nellore	2,809	3,694	2,615	2,673	2,702	1,828	2,817	1,774	1,782	1,840
Salem	3,950	4,111	3,368	3,352	3,015	4,160	3,805	2,604	2,514	2,097
Tanjore (North) ...	1,892	2,104	2,219	2,068	2,153	4,701	5,393	4,888	5,464	5,976
Tanjore (South) ...	3,222	3,291	3,612	3,768	4,680	6,948	7,195	6,895	7,636	8,095
Tinnevelly	3,381	3,872	3,561	3,623	3,792	5,399	5,092	5,372	5,052	5,188
Trichinopoly ...	2,746	3,378	2,885	3,363	3,022	2,521	2,701	2,559	2,380	2,198
Vizagapatam ...	3,228	3,309	3,636	3,533	3,045	3,159	3,584	3,779	3,795	3,934
Do. (Agency) ...	408	314	285	273	218	...	...	...	...	...
Total...	69,740	76,354	71,464	71,297	71,045	88,095	96,102	90,804	87,520	82,591
Average upon 21 Districts	3,321	3,636	3,403	3,395	3,383	4,195	4,576	4,324	4,163	3,933

167. In Ordinary Suits, South Malabar, Godavari, South Tanjore and Kistna head the list, with 7,767, 5,391, 4,680, and 4,097 Suits respectively. In Small Causes, North and South Malabar, South Tanjore, Madura and Godavari have the largest files, viz., 9,964, 8,381, 8,095, 5,889 and 5,632 respectively. Kurnool, Bellary, Cuddapah, North Tanjore, Ganjam, Nellore, South Arcot and Chingleput have had the smallest files of Ordinary Suits, the institutions in these Districts having fallen considerably below the average, noteably so in Kurnool. In Small Causes, Kurnool, Cuddapah, Bellary, Coimbatore and Nellore stand very low, the files being less than half the average.

168. In Ordinary Suits, the files have steadily risen in Ganjam, Godavari and South Tanjore from 1878, and in South Canara from 1880, the increase in the three last named Districts upon the figures for 1881 being 444, 912 and 365 respectively. In Chingleput also, there were 285 Suits more than in 1881. On the other hand, there has been a gradual falling off in the files since 1879 in Kistna, Kurnool, Madura, North Malabar and Salem, and, since 1880, in Vizagapatam. In North Arcot, Trichinopoly and Cuddapah, the work received in 1882 was less than in the previous year by 361, 341 and 248 Suits respectively.

SUITS.

Five years' comparision of institutions of Districts.

169. In Small Causes, the contiguous Districts of North and South Tanjore show an increase upon 1881 of 512 and 459 respectively. In Vizagapatam, the files have been steadily advancing from 1878. There has been a decline in Cuddapah, Godavari, North and South Malabar and Trichinopoly since 1878, the institutions of 1882 in the first four Districts having fallen off from 1881 by 400, 480, 768 and 612 respectively. Kistna, Madura and Salem have fallen off from 1881, the decrease being 19, 17½ and 16 per cent., respectively.

Institutions of 1882 classified according to subject-matter.

170. Below is a classification, according to subject-matter, of all the Suits instituted in these Courts in 1882, showing the proportion the number in each class bears to the total.

Class of Courts.			Number.	Percentage.
Suits for money or moveable property.	On contract	in writing ...	64,825	42·19
		not in writing....	15,496	10·09
	Rent		9,401	6·12
	Moveable property or its value ...		3,126	2·03
	Other Suits		17,385	11·32
Revenue Suits (Madras Act No. VIII of 1865)			5,305	3·45
Title and other suits ...	Relating to real property ...		35,265	22·95
	Other Suits		2,833	1·85
		Total...	1,53,636	100·00

171. This table shows that 72 per cent. of the Suits were Suits for money or moveable property, and that two-thirds of these, as in last year, were based on written contracts. Suits relating to real property bore a proportion of nearly 23 per cent. to the total. It will be observed that in 1882, as compared with 1881, there was a decrease of about 9 per cent. in Suits for money or moveable property, and a corresponding increase in those affecting immoveable property, and that the proportion of the latter class of Suits in the year under review approaches that of the years previous to 1881. This is due to an error in the statistics collected for 1881 as explained in the remarks under the next succeeding table.

The same compared by subject-matter with the previous ten years.

172. The subjoined statement shows how the number of Suits of each of the above classes varied from year to year, for the years, 1872 to 1882.

	Suits on contract.		Rent Suits.	Suits for recovery of personal property.	Other Suits.	Suits for real property.	Other Suits.	Revenue Suits.	Total.
	In writing.	Not in writing.							
1872 ...	78,684	19,211	6,727	4,029	15,060	23,985	4,496	2,507	1,54,699
1873 ...	77,672	17,286	7,496	3,738	15,688	27,017	5,111	2,330	1,56,338
1874 ...	79,247	20,367	7,945	4,008	15,593	28,294	5,453	4,518	1,65,425
1875 ...	74,281	20,506	6,242	3,510	14,785	28,777	5,126	4,819	1,57,996
1876 ...	74,676	19,945	6,500	4,191	15,911	29,384	5,932	5,579	1,62,118
1877 ...	64,270	18,786	7,994	3,858	13,745	25,787	4,811	6,195	1,45,446
1878 ...	74,196	18,841	7,883	3,480	14,621	30,080	4,881	3,898	1,57,830
1879 ...	81,683	19,807	9,639	3,552	15,562	33,471	5,254	4,545	1,72,463
1880 ...	75,048	17,737	10,435	3,177	14,670	32,557	4,753	3,888	1,62,265
1881 ...	83,282	15,343	9,521	4,062	16,337	21,379	4,717	4,176	1,58,817
Total...	7,62,989	1,86,829	80,382	37,605	1,51,922	2,80,681	50,534	42,455	15,93,397
Average...	76,298	18,683	8,038	3,760	15,192	28,811	5,053	4,245	1,59,339
Compare 1882...	64,825	15,496	9,401	3,126	17,385	35,265	2,833	5,305	1,53,636

SUITS.

Institutions of 1882 compared by subject-matter with the previous ten years.

173. In para. 152 of the last year's Report, it was observed that Suits for real property in 1881 had "fallen below the lowest figures under that head for the past ten years." An enquiry into the cause of this abnormal decrease brought to light the fact that, owing to a misapprehension of the heading "Suits on contracts in writing," Suits on mortgage of immoveable property had been classed in the statistics of 1881 by many of the Courts in the provinces as Suits for money due on written contracts. The decrease in that year under this head and the corresponding increase in Suits on contracts in writing is thus accounted for. Pending a thorough scrutiny of the figures for 1881, the average for this class of suits in the table above has been struck for the 9 years previous to 1881. The number of Suits for real property in 1882 is greater than in any of the previous years and exceeds the average of the period dealt with by 18¼ per cent. The decrease noticed in para. 171 *supra* is shown by the table to be chiefly confined to Suits on written contract, and taking the figures of 1881 under this head, either as they stand or as on a par with those of 1880, the year under review shows a return to the figures of 1877, the first year of the famine. This circumstance raises the inference that the monetary transactions consequent on the advent of the famine had been either settled or barred by limitation by the end of 1881. The figures given under the head "Revenue Suits" in the above statement stand for Suits under the Rent Recovery Act and exclude Suits of an otherwise purely revenue nature, such as under Regulation XII of 1816, and so vary from the figures under the same head in the corresponding statement in the report for 1881 (para. 151). It will be noticed that Suits of this class were more numerous in the year under review than in any of the four years immediately preceding it.

Aggregate and average values.

174. 662 of the Suits instituted in 1882 do not admit of a money valuation. The total value of the remaining 1,52,974 Suits instituted in all the Regular Courts during the year, amounts to Rs. 1,87,98,824, giving an average value of Rs. 128 per Suit, as compared with Rs. 188, the average value per Suit in 1881.

Institutions of 1882 classified according to value

175. Below is shown the number of Suits instituted in 1882, classified according to their value.

Grade of value.	Number.	Percentage.
Not exceeding, 10 Rupees	19,226	12·51
Above 10 Rupees and not exceeding 50 Rupees...	71,745	46·70
„ 50 „ 100 „ ...	26,847	17·47
„ 100 „ 500 „ ...	29,533	19·22
„ 500 „ 1,000 „ ...	3,309	2·15
„ 1,000 „ 2,500 „ ...	1,614	1·05
„ 2,500 „ 5,000 „ ...	439	·29
„ 5,000 „ 10,000 „ ...	150	·10
„ 10,000 „ 1,00,000 „ ...	104	·07
Exceeding 1,00,000	7	·01
Not capable of being valued	662	·43
Total...	1,53,636	100·00

176. In 1882, as in 1881, nearly 96 per cent. of the Suits before the regular Courts were under Rs. 500 in value. The proportions of Suits between Rs. 500 and Rs. 1,000 and between Rs. 1,000 and Rs. 2,500 in value, were slightly higher, *viz.*, 2·15 and 1·05 against 1·99 and 0·96 last year. In North Arcot, there was one Suit, which alone was valued at 6½ lacs, and yet the average value has, as shown in the preceding para., fallen off by about 33 per cent. This is chiefly traceable to the fact that there has been a diminution in the number of Suits in the higher values, those between Rs. 10,000 and Rs. 1,00,000 having dwindled down from 132 in 1881 to 104 in 1882 and those over a lac from 12 to 7.

II.—DISPOSALS. SUITS.

Disposals.

177. 71,290 Ordinary Suits and 83,854 Small Causes, in all 1,55,144 Suits, were disposed of in 1882.

Contribution of the several classes of Courts.

178. The following table exhibits the proportions in which the several classes of Courts have contributed to the total disposals of the year.

Class of Courts.	Ordinary Suits.	Per-centage.	Small Causes.	Per-centage.	Total.	Per-centage.
Revenue Courts	4,729	6·63	...	...	4,729	3.05
Cantonment Courts of Small Causes...	...	...	488	·58	488	.31
Courts of Sub-Magistrates as District Munsifs in the Agency tracts ..	359	·50	...	...	359	·23
Courts of Assistant Agents... ...	42	·06	...	...	42	.03
Courts of Agents to the Governor ..	3	·01	...	...	3	...
District Munsifs' Courts ...	64,886	91·02	71,754	85·57	1,36,640	88.07
Subordinate Judges' Courts ...	964	1·35	11,611	13·85	12,575	8·11
District Courts	307	·43	1	...	308	·20
Total...	71,290	100·00	83,854	100·00	1,55,144	100·00

179. The proportions given in this table agree generally with those given under institutions. It is worthy of remark that, both in Ordinary Suits and Small Causes, the District Munsifs, Subordinate Judges, and District Judges have disposed of more cases than were instituted in their Courts during the year.

III.—ARREARS. Arrears.

180. 21,544 Ordinary Suits and 7,140 Small Causes, in all 28,684 Suits, were pending disposal at the close of 1882.

Contribution of the several classes of Courts.

181. The following table exhibits the proportions of arrears to institutions on the files of the several classes of Courts at the close of the year.

Class of Courts.	Ordinary Suits.	Percentage to institutions.	Small Causes.	Percentage to institutions.	Total.	Percentage to institutions
Revenue Courts	2,356	44·41	...	...	2,356	44·41
Cantonment Courts of Small Causes.	...	...	28	5·75	28	5·75
Courts of Sub-Magistrates as District Munsifs in the Agency tracts.	155	38 18	...	...	155	38·18
Courts of Assistant Agents... ...	21	56·76	...	...	21	56 76
Courts of Agents to the Governor.	...	...	...	...	...	...
District Munsifs' Courts	18,483	28·79	5,713	8·07	24,196	17·92
Subordinate Judges' Courts ...	319	40 33	1,399	12·40	1,718	14·23
District Courts	210	74·13	...	...	210	74·20
Total...	21,544	30·32	7,140	8·65	,684	18·66

182. The total arrears are 18·66 per cent. of the total institutions, being a little over the percentage in 1881. In the District Munsifs' Courts, where the institutions are by far the largest, amounting to nearly 88 per cent. of the total, the arrears are inconsiderable (17·92 per cent.), though a little higher than that in 1881. In Subordinate Judges' Courts, the proportion of arrears to institutions is even lower than in 1881, being only 14·23 per cent. against 15·59 per cent. in 1881. The proportion is the lowest in Cantonment Courts, which are purely Courts of Small Causes. In District Courts, the proportion is highest, being 74·20 per cent.; which is considerably above that in 1881, *viz.*, 58·86.

EXECUTIONS.

B.—EXECUTIONS.

Institutions.

I.—INSTITUTIONS.

Contribution of the several classes of Courts.

183. 1,38,233 applications for execution of decrees were received in 1882.

184. The following table exhibits the proportions in which the several classes of Courts have contributed to the work of the year.

Class of Courts.	Number received.	Percentage.
Revenue Courts	532	·39
Cantonment Courts of Small Causes	198	·14
Courts of Sub-Magistrates as District Munsifs in the Agency tracts	157	·11
Courts of Assistant Agents	8	·01
Courts of Agents to the Governor	1	...
District Munsifs' Courts	1,23,470	89·32
Subordinate Judges' Courts	13,260	9·59
District Courts	607	·44
Total...	1,38,233	100·00

185. This table shows that as many as 1,23,470 applications, or about 89½ per cent. of the total, as in last year, were received on the files of the District Munsifs: following these, but by a long interval, 13,260, or about 9½ per cent., were received by the Subordinate Judges.

Disposals.

II.—DISPOSALS.

Contribution of the several classes of Courts.

186. 1,40,939 applications for execution of decrees were disposed of in 1882. The following table exhibits the proportions in which the several classes of Courts have contributed to the total disposals of the year.

Class of Courts.	Number disposed of.	Percentage.
Revenue Courts	528	·38
Cantonment Courts of Small Causes	198	·14
Courts of Sub-Magistrates as District Munsifs in the Agency tracts	148	·10
Courts of Assistant Agents	14	·01
Courts of Agents to the Governor	1	0
District Munsifs' Courts	1,26,547	89·79
Subordinate Judges' Courts	12,774	9·06
District Courts	729	·52
Total...	1,40,939	100·00

187. Here also, as in Suits, by far the largest proportion, over 89 per cent. of the total, has been disposed of by District Munsifs and Subordinate Judges. As in 1881, District Munsifs' Courts and District Courts have disposed of more work than was received, and on the whole, 2,706 more cases were disposed of than were received during the year.

Arrears.

III.—ARREARS.

188. 21,384 applications for execution of decrees were left undisposed of at the close of 1882.

189. The following table exhibits the proportions of arrears to institutions in the several classes of Courts, for 1882. EXECUTIONS.

Contribution of the several classes of Courts.

Class of Courts.	Number in arrear.	Percentage to institutions.
Revenue Courts	89	16·72
Cantonment Courts of Small Causes	...	...
Courts of Sub-Magistrates as District Munsifs in the Agency tracts...	62	39·49
Courts of Assistant Agents	2	25·00
Courts of Agents to the Governor	...	...
District Munsifs' Courts...	19,322	15·64
Subordinate Judges' Courts	1,589	11·98
District Courts	270	44·48
Total...	21,334	15·43

190. As in 1881, the proportion of arrears to institutions was lowest in Subordinate Judges' Courts, being only about 12 per cent. In District Munsifs' Courts, the proportion was a little over 15½ per cent. which is nearly the same as for last year. In District Courts, however, the arrears were to institutions in the proportion of nearly 5 to 11, which is considerably higher than the proportion in 1881.

O.—INSOLVENCY. INSOLVENCY.

I.—INSTITUTIONS. Institutions.

191. 549 applications for declarations of insolvency were received in 1882 as against 535 in 1881.

192. The following table exhibits the proportions in which the several classes of Courts vested with Insolvency Jurisdiction have contributed to the work of the year. Contribution of the several classes of Courts.

Class of Courts.	Number received.	Percentage.
District Munsifs' Courts	433	78·87
Subordinate Judges' Courts	104	18·94
District Courts	12	21· 9
Total...	549	100·00

193. It will be seen that over 78¾ per cent. were received on the files of District Munsifs, and about 19 per cent. on those of Subordinate Judges ; the number on the files of the District Courts was only 12, which is 50 per cent. less than that in 1881.

II.—DISPOSALS. Disposals.

194. 570 applications for declarations of insolvency were disposed of in 1882. Contribution of the several classes of Courts.

195. The following table exhibits the proportions in which the several classes of Courts have contributed to the total disposals of the year.

Class of Courts.	Number disposed of.	Percentage.
District Munsifs' Courts	435	76·31
Subordinate Judges' Courts	117	20·53
District Courts	18	3·16
Total ...	570	100·00

INSOLVENCY.

III.—ARREARS.

Arrears.

196. 116 applications for declarations of insolvency were left undisposed of at the close of 1882.

Contribution of the several classes of Courts.

197. The following table exhibits the proportions of arrears to institutions in the several classes of Courts for the year 1882.

Class of Courts.	Number in arrear.	Percentage to institutions.
District Munsifs' Courts	96	22·17
Subordinate Judges' Courts	17	16·34
District Courts	3	25·00
Total...	116	21·81

MISCELLANEOUS CASES.

D.—MISCELLANEOUS CASES.

Institutions.

I.—INSTITUTIONS.

Contribution of the several classes of Courts.

198. 2,40,162 miscellaneous applications, other than for execution of decrees and declarations of insolvency, were received in 1882.

199. The following table exhibits the proportions in which the several classes of Courts have contributed to the miscellaneous work of the year.

Class of Courts.	Number received.	Percentage.
Revenue Courts	2,173	·91
Cantonment Courts of Small Causes	...	...
Courts of Sub-Magistrates as District Munsifs in the Agency tracts.	35	·01
Courts of Assistant Agents	1	...
Courts of Agents to the Governor	...	...
District Munsifs' Courts	2,10,514	87·65
Subordinate Judges' Courts	18,272	7·61
District Courts	9,167	3·82
Total...	2,40,162	100·00

200. As in all other classes of judicial work, the largest number, viz., 2,10,514 or over 87½ per cent. of the total, was received on the files of the District Munsifs, and the next larger number, *viz.*, 18,272, or over 7½ per cent., was brought before the Subordinate Judges. The files in the District Courts, though lower than in 1881, are, for the reason stated in para. 185 of the report for 1881, much in excess of the proportion of suits or execution petitions coming before them.

Disposals.

II.—DISPOSALS.

201. 2,39,852 miscellaneous applications, other than for execution of decrees and declarations of insolvency, were disposed of in 1882.

202. The following table exhibits the proportions in which the several classes of Courts have contributed to the total disposals of the year. MISCELLANEOUS CASES. Contribution of the several classes of Courts.

Class of Courts.	Number disposed of.	Percentage.
Revenue Courts	2,064	·86
Cantonment Courts of Small Causes	...	...
Courts of Sub-Magistrates as District Munsifs in the Agency tracts..	35	·02
Courts of Assistant Agents	1	...
Courts of Agents to the Governor	...	...
District Munsifs' Courts	2,10,393	87·71
Subordinate Judges' Courts	18,329	7·65
District Courts	9,025	3·76
Total...	2,39,852	100·00

203. About 95 per cent. of the total was disposed of by District Munsifs and Subordinate Judges, and, of the remainder, a little less than 4 per cent. was disposed of by District Judges. The disposals, on the whole, fell short of the institutions by 310 only.

III.—ARREARS. Arrears.

204. 5,323 miscellaneous applications, other than for execution of decrees and declarations of insolvency, were left undisposed of at the close of 1882.

205. The following table exhibits the proportions of arrears to institutions in the several classes of Courts for 1882. Contribution of the several classes of Courts.

Class of Courts.	Number in arrear.	Percentage to institutions.
Revenue Courts...	203	9·84
Cantonment Courts of Small Causes	...	...
Courts of Sub-Magistrates as District Munsifs in the Agency tracts.	...	...
Courts of Assistant Agents	...	...
Courts of Agents to the Governor	...	...
District Munsifs' Courts...	4,060	1 93
Subordinate Judges' Courts	474	2·59
District Courts...	586	6·39
Total...	5,323	2·22

206. It will be observed that the arrears in the District Munsifs' Courts are proportionately lighter than those in any other class of Courts. The District Courts exhibit a very high percentage, which is probably due to the circumstance which has already been pointed out, that the applications coming before them are of a special character.

I.—Revenue Courts.

Changes in the constitution of Courts.

207. During the year under review, the Judicial District of Bellary was divided into two Revenue Districts—Bellary and Anantapur, each presided over by a Collector. The Office of Judicial Commissioner of the Nilgiris was abolished, and the chief controlling authority of the District was styled "Collector".

Number of Courts

208. There were, in all, 114 Revenue Courts in 1882. Of these, 21 were presided over by Collectors, 14 by Sub-Collectors, 42 by Assistant Collectors and 37 by Deputy Collectors. Of these, 15 Collectors, 3 Sub-Collectors, 11 Assistant Collectors and 17 Deputy Collectors not having exercised jurisdiction, the number of Revenue Courts actually working in 1882 is reduced to 68.

SUITS.

A.—SUITS.

I.—INSTITUTIONS.

Institutions

209. 5,305 Suits were instituted in 1882 in these Courts. All these are Suits under the Madras Rent Recovery Act: Suits of an otherwise purely revenue nature, which had been included in previous years' returns, have been omitted from the statistics of 1882 under instructions issued by the High Court, dated 15th December 1882, No. 3,106.

Institutions of 1882 compared with the previous ten years.

210. The following figures show the variations from year to year in the number of Suits instituted in these Courts for the years, 1872 to 1882.

1872	2,507	1879	4,545
1873	2,330	1880	3,888
1874	4,518	1881	4,176
1875	4,819	Total...	42,455
1876	5,579		
1877	6,195	Average...	4,245
1878	3,898	Compare 1882...	5,305

211. 1882 shows an increase of 1,129 Suits upon 1881, of 1,417 upon 1880, and of 1,060 upon the average of the preceding ten years.

Institutions of the past five years distributed by Districts.

212. The following is a comparative statement showing the distribution by Districts, of these Suits for the five years, 1878 to 1882.

District.	1878.	1879.	1880.	1881.	1882.
Arcot (North)	131	168	98	158	179
Arcot (South)	132	98	29	20	47
Anantapur	...	...	...	...	4
Bellary	1	...	...	...	...
Canara (South)	21	34	30	30	25
Chingleput	344	485	772	494	754
Coimbatore	90	27	32	28	51
Nilgiris	...	...	...	...	...
Cuddapah	5	10	2	1	2
Ganjam	117	121	124	125	251
Godavari	205	217	241	265	413
Kistna	36	68	47	124	217
Kurnool	36	11	...	...	...
Madura	846	728	596	286	343
Malabar (North)	...	...	...	...	...
Malabar (South)	...	...	...	...	7
Nellore	23	69	25	43	50
Salem...	168	241	328	379	416
Tanjore (North)	15	54	36	17	19
Tanjore (South)	662	600	701	601	1,346
Tinnevelly	287	694	317	456	491
Trichinopoly	318	419	182	772	384
Vizagapatam	461	501	328	377	306
Total...	3,898	4,545	3,888	4,176	5,305
Average...	205	252	228	245	279

SUITS.

Institutions of the past five years compared by Districts.

213. As compared with 1881, there has been a marked increase in seven Districts, *viz.*, South Tanjore, Ganjam, Chingleput, Godavari, Kistna, Madura and Salem. The more than two-fold increase in South Tanjore is ascribed by the Collector to the institution of 852 Suits at his instance as Agent to the Court of Wards on behalf of the Gandrakotta Zemindari. No cause is suggested for the large increase in Ganjam, Chingleput and Godavari. In Trichinopoly, the file is reduced to one-half of that in the last year. The special cause of the large institutions in this District in 1881 was explained in para. 201 of last year's report. For the first time, Revenue Suits are returned from the District of Malabar. In connection with the statistics for 1881, the Collector reported that Act VIII of 1865 had never been worked in Malabar, and that in its present form it was wholly unsuited to that District on account of the peculiarities of its land tenures (*vide* para. 192 of the report for 1881). On a reference now made, the Collector explains that the 7 Suits instituted in 1882 were brought, not by land-holders, but by Abkari Renters, for recovery of arrears from sub-renters, under the provisions of Act III of 1864 (Madras), Section 11, which extends to the Abkari Renters the summary remedies given by law to land-holders in the matter of arrears of rent.

Institutions of 1882 distributed by classes of Courts

214. The 5,305 Suits of 1882 mentioned above are distributed below by Districts and classes of Courts :—

District.	Collectors.	Sub-Collectors.	Assistant Collectors.	Deputy Collectors.	Total.
Arcot (North)	...	8	121	50	179
Arcot (South)	...	3	32	12	47
Anantapur	4	...	...	...	4
Bellary	...	...	...	...	...
Canara (South)	9	...	13	3	25
Chingleput	1	236	192	325	754
Coimbatore	...	25	24	2	51
Nilgiris	...	...	...	...	...
Cuddapah	...	...	1	1	2
Ganjam	17	...	234	...	251
Godavari	...	92	71	250	413
Kistna	...	6	136	75	217
Kurnool	...	...	...	...	...
Madura	4	29	181	129	343
Malabar (North)	...	...	...	...	...
Malabar (South)	...	...	7	...	7
Nellore	...	27	1	22	50
Salem	...	120	88	208	416
Tanjore (North)	...	...	14	5	19
Tanjore (South)	...	223	159	964	1,346
Tinnevelly	...	37	220	234	491
Trichinopoly	...	. .	288	96	384
Vizagapatam	13	...	293	...	306
Total...	48	806	2,075	2,376	5,305
Average...	8	73	115	158	279
Percentage to total...	0·91	15·20	39·11	44·78	100·00

215. It will be observed that the Courts in South Tanjore have had the largest file of these Suits, nearly 72 per cent. of them having been received in the Courts of Deputy Collectors. Next in order come Chingleput, Tinnevelly, Salem, Godavari, Trichinopoly, Madura and Vizagapatam. Of the whole, Deputy Collectors received 44·78 and Assistant Collectors 39·11 per cent., leaving only 16·11 to be dealt with by the higher Revenue Courts. In only six Districts have Suits been instituted before Collectors, and it is worthy of notice that in 1882 there was only one Suit before the Collector of Chingleput, while in 1881 the contribution of his Court was about one-fifth of the total revenue litigation of the District, being as many as 99 out of 494 Suits instituted.

SUITS.

Institutions of 1882 classified according to subject-matter.

216. Below is a classification, according to subject-matter, of all the Rent Suits instituted in 1882, showing the proportion the number in each class bears to the total.

	Number.	Percentage.
Suits relating to distraint ...	1,127	21·25
„ for damages for extortion, &c.	84	1·58
„ for Pattas and Muchilikas ...	3,907	73 65
„ relating to ejectment	77	1·45
Other Suits	110	2·07
Total...	5,305	100·00

The same distributed according to Districts and subject-matter.

217. The following table distributes the Rent Suits by Districts and also according to subject-matter.

District.	Suits relating to distraint.	Suits for damages for extortion.	Suits for Pattas or Muchilikas.	Suits relating to ejectment.	Other Suits.	Total.
Arcot (North) ...	152	4	23	...	...	179
Arcot (South) ...	5	...	37	...	5	47
Anantapur ...	4	...	...	...	...	4
Bellary ..	...	...	...	...	...	...
Canara (South) ...	12	5	...	...	8	25
Chingleput ..	166	4	583	1	...	754
Coimbatore ...	13	1	37	...	...	51
Nilgiris ...	...	...	...	...	...	...
Cuddapah ...	...	...	2	...	...	2
Ganjam ...	117	15	103	13	3	251
Godavari ...	52	13	326	20	2	413
Kistna ...	77	...	140	...	...	217
Kurnool ...	...	...	...	...	...	...
Madura ...	141	4	194	...	4	343
Malabar (North) ...	...	...	...	...	...	...
Malabar (South) ...	...	...	...	...	7	7
Nellore ...	13	...	33	...	4	50
Salem ...	152	24	184	9	47	416
Tanjore (North) ...	6	...	13	...	...	19
Tanjore South) ..	13	...	1,330	3	...	1,346
Tinnevelly ..	79	2	410	...	..	491
Trichinopoly ..	85	...	299	...	...	384
Vizagapatam ..	40	12	193	31	30	306
Total..	1,127	84	3,907	77	110	5,305

218. By far, the largest number of Suits were for enforcement of the acceptance of Pattas and Muchilikas, being 3,907 or a little less than three-fourths of the tota institutions; and this was higher than in 1881 by 1,356 Suits. This increase is shared in by all the Districts, except North Arcot, Trichinopoly and Vizagapatam and mostly so by South Tanjore, Chingleput, Godavari and Madura.

Unvalued Suits.

219. Against 401 Suits not estimated at a money valuation in 1881, there were only 2 in 1882. These, it has been ascertained, were of a nature admitting of a money valuation, and could have been valued for the purposes of the returns if the necessary information had been insisted on at the time the plaints were received. As compared with 1881, however, 1882 shows that greater care has been taken by the Revenue Courts in this respect.

Aggregate and average value.

220. The total value of the remaining 5,303 Suits is Rupees 2,38,661, giving an average of Rupees 45 per suit as against Rupees 57 in 1881.

SUITS.

221. Below is a distribution of these 5,305 Suits according to value. Institutions of 1882 classified according to value.

Grade of value.	Number.	Percentage.
Not exceeding 10 Rupees	1,576	29·71
Above 10 Rs. and not exceeding 50 Rs.	2,562	48·29
„ 50 „ 100	651	12·27
„ 100 „ 500	478	9·01
„ 500 „ 1,000	24	·45
„ 1,000 „ 2,500	11	·21
„ 2,500 „ 5,000	1	·02
„ 1,00,000 Rs.		
Not estimable in money	2	·04
Total...	5,305	100·00

222. 78 per cent. of the total Suits are for values not exceeding Rs. 50 as against 76 per cent. in 1881.

II.—DISPOSALS. Disposals.

223. Including 116 Suits received by remand and 61 re-admitted, the number received during the year on the files of these Courts amounts to 5,482.

224. Including 1,607 Suits pending at the end of 1881 and excluding transfers, the net total for disposal was 7,085. Of these, 4,729 were disposed of, leaving 2,356 pending at the close of the year.

225. The following statement shows the variations in the work for disposal, disposed of and in arrear in these Courts, for the two years, 1881 and 1882. Similar information for the years preceding 1881 could not be given, as, in the returns for those years, Suits *disposed of* under the Rent Recovery Act, which alone are here dealt with, were not distinguished from Suits decided under the other Revenue Regulations. Disposals in 1881 and 1882 compared.

Year.	Number of Revenue Courts.	Number for disposal.	Number disposed of.	Number in arrear.	Percentage of arrears to total for disposal.	Average number disposed of per Court.
1881	76	5,721	4,114	1,607	28·11	54
1882	68	7,085	4,729	2,356	33·25	69

226. It will be seen that, although the percentage of arrears has increased, the average disposals in 1882 were higher than in the preceding year.

227. The following figures give the general result of the Suits disposed of :— Mode of disposal

Disposed of.		Number.	Percentage.	
Without trial		1,105	100·00	23 37
Without contest.	Compromised	280	32·37	18·29
	Decreed on confession	54	6·24	
	Decreed *ex parte*	462	53·41	
	Dismissed *ex parte*	69	7·98	
	Total...	865	100·00	
After contest.	Decreed for plaintiff	1,597	57·88	58·34
	Decreed for defendant	1,104	40·01	
	By arbitration	58	2·11	
	Total...	2,759	100·00	
	Grand Total...	4,729		100·00

SUITS.

Mode of disposal.

228. A very high proportion, viz., over 58¼ per cent., were disposed of after contest. The proportion of suits decided by arbitration was higher than in last year. Of the whole, 2,113 Suits or 44·68 per cent. were decided in favour of plaintiff, and only 1,173 Suits or 24·80 per cent. in favour of defendant. The remaining 30·52 per cent. were cases disposed of without trial or compromised or decided by arbitration.

Disposals in 1881 and 1882 compared in detail.

229. The following table compares these results for the two years, 1881 and 1882. For the reason stated in para. 225, this comparison could not be extended to the results of the years preceding 1881.

	Suits disposed of.					Percentage.	
	Without trial.	Without contest.	After contest.	For plaintiff.	For defendant.	Of Col. 4 to total.	Of Col. 6 to Col. 5.
1	2	3	4	5	6	7	8
1881	1,472	764	1,878	1,538	833	45·65	54·16
1882	1,105	865	2,759	2,113	1,173	58·34	55·51

230. Suits disposed of without trial are fewer than in 1881, but those disposed of after contest have considerably increased. It may be noticed that the ratio of cases decided for defendant to those for plaintiff is higher in this class of Courts than in others.

Disposals distributed by Districts.

231. The following statement compares by Districts the total number of cases disposed of with the total filed, and the number of contested cases disposed of with the total disposals for 1882.

District.	Total on the file.	Total disposed of.	Total disposed of after contest.	Percentage of Col. 4 to Col. 3.
1	2	3	4	5
Arcot (North)	182	213	155	72·76
Arcot (South)	47	32	11	34·37
Anantapur	6	...	...	...
Bellary...	...	...	...	...
Canara (South)	36	27	19	70·37
Chingleput	1,279	769	414	53·82
Coimbatore	52	44	30	68·18
Nilgiris	...	...	...	...
Cuddapah	3	2	...	...
Ganjam	257	161	112	69·56
Godavari	413	431	238	55·45
Kistna	230	167	75	44·91
Kurnool	...	...	...	...
Madura	353	251	140	55·37
Malabar (North)...	...	...	...	...
Malabar (South)...	7	7	...	...
Nellore...	50	24	16	66·66
Salem	434	331	138	41·69
Tanjore (North)	19	29	22	75·86
Tanjore (South)	1,358	753	487	64·67
Tinnevelly	547	586	350	59·72
Trichinopoly	385	593	329	55·48
Vizagapatam	319	309	223	72·10
Total...	5,977	4,729	2,759	58·34

SUITS.

Disposals and files compared.

232. On the whole, the total disposed of is less than the total filed by 1,248 Suits. In Trichinopoly, the number disposed of is in excess of the number filed by 208 Suits, nearly one-half of the arrears of 1881 being thus cleared up. In North Arcot, Godavari and Tinnevelly, the disposals slightly exceed the files. The quantity of work done in Chingleput and South Tanjore is greater than that in any other District, and there yet remains much to be done. In Ganjam, Kistna, Madura, and Salem, the work disposed of falls considerably short of that received.

233. Except in Salem, Kistna, and South Arcot, more than one-half the number of Suits decided were contested.

Average duration.

234. The average duration of cases disposed of after contest was 124 days, and that of cases decided without contest, 128 days.

III.—ARREARS.

Arrears.

235. At the close of 1882, there were 2,356 Suits pending disposal, of which 2 were on the files of Collectors, 292 on those of Sub-Collectors, 743 on those of Assistant Collectors, and 1,319 on those of Deputy Collectors. Of these, 1,264 were pending return of summonses, and 18 of commission, 189 were pending settlement of issues, and 848 were ready for final disposal, and in 37 judgment had to be delivered.

Oldest suits and cause of their pendency.

236. Of the 2,356 Suits pending as stated above, 1,743 were more than three months old, and included 46 Suits pending over twelve months. Of these last, 14 were on the file of the Sub-Collector of Nellore, the oldest being 433 days old; 3 were in the Court of the Temporary Deputy Collector of Salem, the age of the oldest being 529 days; and it is explained that they await the result of an appeal to the District Court. One case in the Court of the General Deputy Collector of Madura remains undisposed of on account of a difficulty in securing the attendance of a material witness. The remaining 28 Suits were on the file of the General Deputy Collector's Court at Trichinopoly (the oldest having been pending 544 days), and have been, it is explained, adjourned at the request of parties.

IV.—UNREGISTERED PLAINTS.

Unregistered plaints.

237. 280 plaints were rejected or returned before registration, and 31 were pending registration at the close of the year, the oldest of them having been on the file of the Assistant Collector of Trichinopoly for 153 days.

B.—EXECUTIONS.

EXECUTIONS.

Institutions, disposals, &c.

238. 532 Applications were received during the year. Including 65 pending at the end of 1881, 15 transferred from other Courts and 5 re-admitted, the total number for disposal was 617. Of these, 528 were disposed of, 104 being withdrawn or otherwise not prosecuted or rejected or dismissed, and the proceedings being otherwise finally closed in 424 cases as shown below:—

Decrees how satisfied.

Number of cases in which satisfaction was obtained through Court in whole or in part...	410	
„ adjusted out of Court	—	
„ in which execution was wholly infructuous	14	
Total...	424	

239. Of the 410 cases in which satisfaction was obtained through Court, process had been issued in 359.

EXECUTIONS.

Decrees how executed.

240. Of the 424 cases in which the proceedings were finally closed, no process had been issued in 45. In the remaining 379 cases, moveable property was attached but released in 11, and the remaining 368 cases are distributed below according to the modes in which execution was effected :—

Number of cases in which moveable property was transferred or sold ...	9
„ „ immoveable do do	29
„ „ execution was otherwise effected	330
Total...	368

Amount realized.

241. Rupees 3,006 were realized on account of suitors after issue of process, and Rupees 447 were voluntarily paid into Court, the total being Rupees 3,453.

Average duration.

242. The average duration of the disposed of applications for execution was 51 days.

Arrears.

243. 89 applications were awaiting disposal at the end of 1882, and of these, 3 were more than a year old. All these 3 cases were in the Court of the Deputy Collector of Salem, the oldest of them having been pending for 752 days.

Unregistered applications.

244. 4 applications were rejected or returned before registration. There were none unregistered at the close of the year.

C.—MISCELLANEOUS CASES.

MISCELLANEOUS CASES.

Institutions

245. 2,173 applications, other than for execution of decrees, were received during the year. Including one application re-admitted during the year and 101 applications pending at the beginning of the year and excluding transfers, the net total for disposal was 2,267.

Disposals.

246. Of these, 2,064 cases were disposed of as shewn below, leaving 203 pending at the close of the year.

Without trial			561
Without contest ...	Compromised		68
	Ordered on confession		317
	Do. *ex parte*		893
	Dismissed *ex parte*		30
			1,308
After contest ...	Ordered for petitioner		133
	„ counter-petitioner ...		59
	By arbitration		3
			195
		Total...	2,064

Average duration.

247. The average duration of the cases disposed of after contest was 39 days, and of those decided without contest, 29 days.

248. Of the 203 cases in arrear, 49 were pending return of notice, 152 were ready for final disposal, and 2 were pending judgment or order.

Old applications.

249. 30 of the pending applications were more than 3 months old, and there was none pending for more than a year.

Unregistered applications.

250. 19 applications were rejected or returned before registration, and there were none left unregistered at the end of the year.

II.—Cantonment Courts of Small Causes.

251. In 1882, as in the previous year, there were only two Courts of this class, and these continued to be stationed, one at Saint Thomas' Mount in the Chingleput District, and the other at Cannanore in North Malabar. Number of Courts.

A.—SUITS. SUITS.

I.—INSTITUTIONS. Institutions

252. The number of Suits instituted in these Courts during the year was 487, which, though exceeding the number in 1881 by 98, or 27½ per cent., still falls short of the lowest of the files of the preceding years by 41 or nearly 8 per cent.

253. The following is a comparative statement showing the distribution, by Courts, of these Suits for the 5 years, 1878 to 1882. Institutions of the past five years distributed between the two Courts.

	In 1878.	In 1879.	In 1880.	In 1881.	In 1882.
Saint Thomas' Mount...	458	368	445	312	347
Cannanore	169	160	123	77	140
	627	528	568	389	487

254. The increased institutions of the year are shared in by both Courts, but the increase in Cannanore is marked, being nearly 88 per cent. upon 1881.

255. Below is a classification, according to subject-matter, of the Suits instituted in 1882, showing the proportion the number in each class bears to the total. Institutions of 1882 classified according to subject-matter.

	Number.	Percentage.		Number.	Percentage.
Contract in writing ...	31	6·37	Rent	19	3·90
Contract not in writing,	3	·62	Moveable property or its value	21	4·31
On account stated ...	15	3·08	Damages	35	7 18
Money had and received	276	56·68			
Goods sold	67	13·76			
Wages, &c.	18	3·69	Total...	487	100·00
Breach of contract ...	2	·41			

256. As in the previous year, the greater proportion of the Suits instituted, namely, a little over 70 per cent., was for money had and received and goods sold; but there is a marked increase of Suits for damages from 4 to 35.

257. Below is a classification of these Suits according to value. The same classified according to value.

Value.	Number.	Percentage.
Not exceeding 10 Rupees	159	32·65
Above 10 Rupees and not exceeding 50 Rupees... ...	241	49·49
„ 50 „ 100 „	45	9·24
„ 100 „ 500 „	42	8·62
Total...	487	100·00

258. 400 Suits, or a little over 82 per cent. of the total, did not exceed 50 Rupees in value; but the number of Suits between 100 Rupees and 500 Rupees has risen from 24 in 1881 to 42 in 1882.

259. The total value of these 487 Suits is Rupees 17,909, giving an average of Rupees 37 per Suit, or Rupees 4 more than in 1881. Aggregate and average value.

II.—DISPOSALS. Disposals.

260. Including 29 Suits pending at the end of 1881, the total number for disposal during the year on the files of these Courts was 516. Of these, 488 Suits were disposed of, leaving 28 pending at the close of the year.

SUITS.

Work of 1882 compared with the previous eight years.

261. The variations from year to year in the work for disposal, disposed of and in arrear, for the years, 1874 to 1882, in these two Courts, will appear from the following statement :—

Year.	Number for disposal.	Number disposed of.	Number in arrear.	Percentage of arrears to total for disposal.	Average number disposed of per Court.
1874	515	501	14	2·72	250
1875	505	490	15	2·97	245
1876	555	553	2	·36	276
1877	558	545	13	2·33	272
1878	640	622	18	2·81	311
1879	546	530	16	2·93	265
1880	584	556	28	4·79	278
1881	417	388	29	6·95	194
Total...	4,320	4,185	135	3·12	2,091
Average...	540	523	17	3·12	261
Compare 1882...	516	488	28	5·42	244

Mode of disposal.

262. The number disposed of in 1882 exceeds that in 1881 by 100 Suits, but still falls below the work of the previous years.

263. Below is given the general result of these Suits :—

Disposed of.		Number.	Percentage.	
Without trial		90	100·00	18·44
Without contest...	Compromised	12	4·23	58·20
	Decreed on confession.	139	48·94	
	Decreed *ex parte* ...	106	37·32	
	Dismissed *ex parte* ...	27	9·51	
	Total...	284	100·00	
With contest ...	Decreed for plaintiff ...	93	81·58	23·36
	Decreed for defendant.	21	18·42	
	By arbitration ...	...	...	
	Total...	114	100·00	
	Grand Total...	488	...	100·00

264. The large proportion of Suits decreed on confession to which attention was called in the Report for 1881, para. 245, may again be noted. A probable explanation of this feature was also suggested in last year's Report.

SUITS.

265. The following statement compares the total number of Suits disposed of with the total filed, and the number of contested cases disposed of with the total disposals in these Courts, for 1882. Contribution of the two Courts to the work of 1882.

Court.	Total filed.	Total disposed of.	Total disposed of after contest.	Percentage of Col. 4 to Col. 3.
1	2	3	4	5
St. Thomas' Mount	347	349	61	17·47
Cannanore	140	139	53	38·13
Total...	487	488	114	23·36

266. The average duration of the cases disposed of after contest was 11½ days, and that of cases decided without contest, 8 days. Average duration.

III.—ARREARS. Arrears.

267. At the end of 1882, there were 28 Small Causes awaiting disposal. Of these, 12 were more than 3 months old, of which 2 were pending for more than a year. The oldest of these was pending in the St. Thomas' Mount Court for 821 days, and the explanation received is that the summons could not be served on the defendant as his residence was not known. Cause of pendency.

IV.—UNREGISTERED PLAINTS. Unregistered plaints.

268. There were no plaints pending registration at the close of the year.

B.—EXECUTIONS. EXECUTIONS.

269. 198 applications were received in 1882. Including 6 applications pending from the end of last year and excluding transfers, the number of applications for disposal was 198. Of these, 6 were withdrawn, and satisfaction was obtained through Court in 184, with the issue of process. In the remaining 8 cases, execution proved wholly infructuous. Institutions, disposals, &c.

270. In 5 of the cases disposed of, 5 judgment-debtors owing 50 Rupees and under were detained in jail for an average period of 15 days. Average detention of Judgment-debtors in Jail.

271. Rupees 2,595 were realized on account of suitors after issue of process, and Rupees 603 were voluntarily paid into Court, the total being Rupees 3,198. Amount realized.

272. The average duration of the disposed-of applications for execution was 2 days. Average duration.

273. There were no applications pending registration at the close of the year. Unregistered applications.

C.—MISCELLANEOUS CASES.

274. No miscellaneous cases were received in these Courts during the year. Miscellaneous cases.

III.—Agency Courts.

Constitution of Courts.

275. The Agency tracts comprise certain Hill Tracts or Maliahs in the Districts of Ganjam and Vizagapatam. In consequence of disturbances created by the 'Hill chieftains, (which were brought to a close in 1836), it was considered necessary that the administration of Civil and Criminal Justice in these tracts should be removed from the ordinary Courts and placed under the Collectors. Act XXIII of 1836 was accordingly passed, suspending the Regulations in these tracts. This Act was repealed by Act XXIV of 1839, Section 3 of which vests in the Collectors of these Districts, as Agents to the Governor of Fort Saint George, the administration of Civil and Criminal Justice within these Hill Tracts. The procedure of the Courts is regulated, not by the Code of Civil Procedure, but by Rules framed by the Madras Government, in virtue of the powers conferred on it by Section 4 of that Act. These rules were extended to certain portions of the Godavari District during the Rumpa disturbances in 1881.

SUITS.

A.—SUITS.

I.—INSTITUTIONS.

Institutions

276. 460 Ordinary Suits were instituted in these Courts in 1882.

Institutions of 1882 compared with the previous ten years.

277. The following figures show the variations from year to year in the number of Suits instituted in these Courts for the 10 years, 1872 to 1882.

Year.	Courts of Agents.	Courts of Assistant Agents.	Courts of Munsifs.	Total
1872	5	*	257	262
1873	13		298	311
1874	7		486	493
1875	2		476	478
1876	2		426	428
1877	29		748	777
1878	5		690	695
1879	67		423	490
1880	4	15	373	392
1881	18	23	481	522
Total ..	152	38	4,658	4,848
Average ..	15	19	466	485
Compare 1882.	17	37	406	460

278. Compared with the earlier years, there has, on the whole, been an increase in the number of Suits instituted in these Courts. 1882 shows a falling off from 1881 by 62 Suits; but the institutions in the Courts of Assistant Agents were larger than in the two years (1880 and 1881), for which years alone figures are available.

* The institutions in these Courts are not separately exhibited in the Annual Returns for these years, but are mixed up with the work of the Munsifs' Courts.

279. The following is a comparative statement showing the distribution, by Districts, of these Suits for the five years, 1878 to 1882. SUITS. Institutions of the past five years distributed by Districts.

Districts.	Courts of Agents.					Courts of Assistant Agents.					Courts of District Munsifs.				
	1878.	1879.	1880.	1881.	1882.	1878.	1879.	1880.	1881.	1882.	1878.	1879.	1880.	1881.	1882.
Ganjam	2	3	1	5	...	...	...	...	5	4	285	173	106	87	55
Godavari	...	...	...	13	17	...	...	...	...	...	...	...	...	139	166
Vizagapatam ...	3	64	3	...	...	...	...	15	18	33	405	250	267	255	185
Total ...	5	67	4	18	17	...	...	15	23	37	690	423	373	481	406
Average ...	2	33	2	9	17	...	...	15	11	18	345	211	186	160	135

280. No Suits were instituted in 1882 in the Courts of the Agents at Ganjam and Vizagapatam. Generally, the files in the Courts of the Vizagapatam Agency have been heavier than in those of the other Agencies. There is a falling off in the files of the Ganjam Agency Courts from 1881, and this is attributed chiefly to the recent introduction of the Court Fees Act.

281. Below is a classification, according to subject-matter, of the Ordinary Suits instituted in these Courts, showing the proportion the number in each class bears to the total. Institutions of 1882 classified according to subject-matter.

	Nature of Suits.	Ordinary Suits.					
		Courts of Agents.		Courts of Assistant Agents.		Courts of District Munsifs.	
		Number.	Percentage.	Number.	Percentage.	Number.	Percentage.
Suits for money or moveable property.	On contract. in writing	4	23·53	...	...	152	37·44
	On contract. not in writing	...	...	...	...	37	9·11
	Rent	...	...	5	13·51	13	3·20
	Moveable property or its value	...	...	12	32·43	14	3·45
	Damages	...	...	3	8·11	1	·24
	Other Suits	...	...	8	21·62	155	38·17
Title and other Suits.	Relating to real property	...	...	6	16·22	28	6·90
	Other Suits	13	76·47	3	8·11	6	1·48
	Total...	17	100·00	37	100·00	406	100·00

SUITS.

Institutions of 1882 distributed according to Districts and subject-matter.

282. The following table distributes these Suits according to Districts and according to subject-matter :—

Districts.	Courts of Agents.			Courts of Assistant Agents.			Courts of Munsifs.		
	Suits for money or moveable property.	Title and other Suits.	Total.	Suits for money or moveable property.	Title and other Suits.	Total.	Suits for money or moveable property.	Title and other Suits.	Total.
Ganjam... ...	...	...	...	...	4	4	28	27	55
Godavari ...	4	13	17	...	...	...	163	3	166
Vizagapatam ...	...	...	...	28	5	33	181	4	185
Total...	4	13	17	28	9	37	372	34	406
Average per District...	4	13	17	28	4	18	124	11	135

Aggregate and average value.

283. The value of 6 Ordinary Suits could not be estimated in money, and the total value of the remaining 454 Suits was 55,277 Rupees, giving an average of Rupees 121 per Suit.

Institutions of 1882 classified according to value.

284. Below is a distribution of these Suits according to value.

Grade of Value.	In the Courts of Agents.		In the Courts of Asst. Agents.		In the Courts of District Munsifs.	
	Number.	Percentage.	Number.	Percentage.	Number.	Percentage.
Not exceeding 10 Rupees ...	3	17·65	2	5·41	28	6·89
Above 10 Rs. and not exceeding 50 Rs.	2	11·77	11	29·73	182	44·83
„ 50 Rs. 100 „	...	...	4	10·81	82	20·20
„ 100 „ 500 „	5	29·41	13	35·13	109	26·85
„ 500 „ 1,000 „	4	23·53	4	10·81	...	...
„ 1,000 „ 2,500 „	2	11·76	2	5·41	...	...
„ 2,500 „ 5,000 „	1	5·88	...	...	...	...
Not estimable in money.	...	...	1	2·70	5	1·23
Total...	17	100·00	37	100·00	406	100·00

II.—DISPOSALS.

Disposals.

285. Including 1 Suit received by remand and 2 Suits re-admitted, the admissions during the year on the files of these Courts amounted to 463.

286. Including 112 Suits pending at the close of 1881 and excluding transfers, the net total for disposal in these Courts was 580, viz., 514 in the Courts of District Munsifs; 63 in those of Assistant Agents, and 3 in those of Agents. Of this number, 404 were disposed of, viz., 359 by District Munsifs, 42 by Assistant Agents and 3 by Agents—leaving 176 Suits pending at the close of the year, of which 155 were on the files of District Munsifs and 21 on those of Assistant Agents.

287. The variations from year to year in the work for disposal, disposed of and in arrear, for the last eight years, 1874 to 1881, in these Courts, will appear from the following statement.

suits.

Work of 1882 compared with the previous eight years.

Year.	Courts of Agents.				Courts of Assistant Agents.				Courts of District Munsifs.			
	Number of Agents.	Number for disposal.	Number disposed of.	Number in arrear.	Number of Assistant Agents.	Number for disposal.	Number disposed of.	Number in arrear.	Number of District Munsifs.	Number for disposal.	Number disposed of.	Number in arrear.
1874 ...	2	...	...	...	...	12	10	2	...	557	507	50
1875 ...	2	...	...	...	...	25	20	5	...	504	442	62
1876 ...	2	1	...	1	...	24	22	2	...	469	387	82
1877 ..	2	4	2	2	...	54	22	32	...	773	702	71
1878 ...	2	1	...	1	...	57	50	7	...	744	642	102
1879 ...	2	3	1	2	...	36	22	14	...	564	465	99
1880 ...	2	5	...	5	4	28	16	12	...	473	376	97
1881 ...	3	6	3	3	6	43	38	5	13	660	566	94
Total...	17	20	6	14	10	279	200	79	13	4,744	4,087	657
Average ..	2	3	1	2	5	35	25	10	13	593	511	82
Compare 1882...	3	3	3	...	6	63	42	21	10	514	359	155

288. Below is a classification of the result of these suits in the several classes of Courts :—

Mode of disposal.

Disposed of.	In the Courts of Agents.			In the Courts of Assistant Agents.			In the Courts of District Munsifs.		
	No.	Percentage.		No.	Percentage.		No.	Percentage.	
Without trial	1	100·00	33·33	11	100·00	26·19	83	100·00	23·12
Without contest. Compromised ...	...			1	9·09		40	19·05	
Decreed on confession	...			2	18·18	26·19	143	68·09	58·50
Decreed *ex parte* ...	...			7	63·64		26	12·38	
Dismissed *ex parte*...	...			1	9·09		1	·48	
Total...	...			11	100·00		210	100 00	
With contest. Decreed for plaintiff in whole or part.	1	50·00	66·67	15	75·00	47·62	33	50·00	18·38
Decreed for defendant	1	50·00		4	20·00		8	12·12	
By arbitration ...	...	...		1	5·00		25		
Total...	2	100·00		20	100·00		66	100·00	
Grand Total...	3		100·00	42		100·00	359		100·00

SUITS.

Disposals of 1882 compared in detail with the previous eight years.

289. The following table compares these results with those of the preceding eight years.

Year.	In the Courts of Agents.					In the Courts of Assistant Agents.					In the Courts of District Munsifs.				
	Without trial.	Without contest.	After contest.	For plaintiff.	For defendant.	Without trial.	Without contest.	After contest.	For plaintiff.	For defendant.	Without trial.	Without contest.	After contest.	For plaintiff.	For defendant.
1874	...	...	...	...	...	}				}	160	195	162	215	81
1875	...	...	...	...	...						131	226	105	216	31
1876	...	...	...	...	...						79	165	165	208	53
1877	...	1	1	1	1	} *	*	*	*	**	199	313	212	301	74
1878	...	...	...	...	...						181	279	232	342	90
1879	...	...	1	...	1						105	252	130	249	40
1880	...	...	...	...	...	7	4	5	6	1	78	194	104	187	40
1881	...	...	3	2	1	14	5	19	17	3	90	339	137	318	23
Total...	...	1	5	3	3	21	9	24	23	4	1,023	1,963	1,247	2,036	432
Average...	...	1	2	1	1	10	4	12	11	2	127	245	156	254	54
Compare 1882.	1	...	2	1	1	11	11	20	24	5	83	210	66	202	9

Files, disposals and contested cases compared.

290. The proportion of disposals to the total file and the proportion of contested cases to total disposal, in each District, will appear in the following statement:—

District.	In the Courts of Agents.			In the Courts of Assistant Agents.			In the Courts of Munsifs.		
	Total on the file.	Total disposed of.	Total disposed of after contest.	Total on the file.	Total disposed of.	Total disposed of after contest.	Total on the file.	Total disposed of.	Total disposed of after contest.
Ganjam...	...	2	2	2	1	1	58	48	24
Godavari	...	...	...	24	21	6	166	128	6
Vizagapatam	...	1	...	32	20	18	186	183	36
Total...	...	3	2	58	42	20	410	359	66

291. It will be noted that the Godavari Agent has in 1882, as in 1881, disposed of no suits, having transferred all that were received to his Assistants.

Average duration.

292. The average duration of the Suits disposed of in these Courts was as follows:—

	Contested.	Uncontested.
Agents' Courts	50 days.	...
Assistant Agents' Courts	83 „	57 days.
Munsifs' Courts	96 „	70 „

III.—ARREARS.

Arrears.

293. At the end of 1882, there were 176 Suits awaiting disposal, as follows:—

	In the Courts of Asst. Agents.	In the Courts of Munsifs.
Pending return of Notice	4	52
„ Settlement of issues	...	48
„ Final disposal	17	46
„ Judgment	...	9
Total...	21	155

Old suits.

294. Of the 176 Suits pending as aforesaid, 122 were more than three months old and 45 were pending over twelve months.

* *Vide* Foot note at page 52.

295. The following table compares the number of Suits pending over twelve months at the close of 1882 with those for the preceding ten years, 1872 to 1881.

SUITS.

Arrears of over twelve months compared for the past eleven years.

	In the Courts of Agents.	In the Courts of Asst. Agents.	In the Courts fo Munsifs.	Total.
1872 ...	...	...	...	..
1873 ...	...	...	6	6
1874 ...	...	...	7	7
1875 ...	...	...	1	1
1876 ...	...	...	13	13
1877 ...	...	...	8	8
1878 ...	...	...	5	5
1879 ...	...	...	9	9
1880 ...	1	3	12	16
1881 ...	1	...	14	15
Total...	2	3	75	80
Average ...	0	0	7	0
Compare 1882....	0	0	45	45

296. All the 45 Suits pending for more than one year were on the files of the Munsifs' Courts. 24 of these (the oldest of which has been on the file for 1,291 days) were pending in the Court of the District Munsif of Golconda in the Vizagapatam District, and the explanation given of this inordinate delay is the pressure of local disturbances and other work. 20 other Suits (the age of the longest of which is 815 days) were pending in the Court of the Munsif of Bhadrachalam in the Godavari District.

Cause of pendency.

297. The remaining one Suit was pending in the Court of the Salur Munsif.

IV.—UNREGISTERED PLAINTS.

Unregistered plaints.

298. There were no plaints left unregistered at the close of the year in any of the Agency Courts.

B.—EXECUTIONS.

EXECUTIONS.

Institutions.

299. 171 applications for execution were received in these Courts in 1882; of these, 166 were in respect of the decrees passed by the Courts applied to, and 5 in respect of decrees transferred to them by other Courts for execution. These were distributed among the three classes of Courts as follows:—

Courts of Munsifs	160
,, Assistant Agents	10
,, Agents	1
	171

Disposals.

300. Including 57 applications pending at the end of 1880 and excluding transfers, the number for disposal was 227. Of these, 163 were disposed of, 28 being withdrawn or otherwise not prosecuted or rejected or dismissed, and the proceedings being finally closed in 135 as shown below:—

Decrees how satisfied

	In the Courts of Agents.	In the Courts of Assistant Agents.	In the Courts of Munsifs.	Total.
Number of cases in which satisfaction was obtained through Court in whole or in part	1	10	98	109
,, adjusted out of Court. ..	...	...	8	8
,, in which execution was wholly infructuous	...	...	18	18
Total ...	1	10	124	135

EXECUTIONS.

301. The Court had to issue its process in 103 out of the 109 cases shown in the above statement.

Decrees how executed.

302. Of the 135 cases in which proceedings were finally closed, no process had been issued in 3. Of the remaining 132 cases, the judgment-debtor was arrested but released in 1, and moveable or immoveable property was attached but released in 48; and the remaining 83 cases are distributed below according to the manner in which execution was effected.

Mode of disposal.	In the Courts of Agents.	In the Courts of Assistant Agents.	In the Courts of Munsifs.	Total.
Number of cases in which moveable property was transferred or sold ...	...	2	63	65
„ immoveable „ „	1	3	6	10
„ immoveable property was otherwise dealt with	...	1	1	2
„ Specific performance was enforced	...	...	4	4
„ Partition was effected.	...	1	...	1
„ Execution was otherwise effected.	...	1	...	1
Total ...	1	8	74	83

Amount realized.

303. The amounts realized in these Courts on account of suitors amounted to Rupees 4,846, as shown below:—

	After issue of process.	Voluntarily paid into Court.
In the Courts of Munsifs	3,396	94
„ Assistant Agents ...	1,356	...
Total ...	4,752	94

Average duration.

304. The average duration of the disposed-of applications was 66 days in the Courts of Munsifs; 178 days in those of Assistant Agents; and 57 in those of Agents.

Arrears and cause of pendency.

305. 64 applications (62 in the Courts of Munsifs, 2 in those of Assistant Agents) remained undisposed of at the close of 1882; and of these, 12 were pending for more than a year. Of these old applications, 9 were on the file of the Munsif of Golconda in the Vizagapatam District, the oldest of which had been pending for 760 days. The delay is attributed to local disturbances and other work. The remaining 3 applications were in the Court of the Bhadrachalam Munsif, the oldest of which (536 days) is stated to be a case in which execution was postponed under Section 243 of the Code of Civil Procedure at the request of the defendant who had filed a Suit against the plaintiff in connection with the same subject-matter.

INSOLVENCY.

C.—INSOLVENCY.

306. The provisions relating to Insolvency do not appear to have been extended to the Agency Courts, and have not been applied.

MISCELLANEOUS CASES.

D.— MISCELLANEOUS.

Institutions.

307. 36 applications, other than for execution of decrees and for declaration of insolvency, were received during the year. Of these, 35 came on the files of Munsifs'

Courts, and one on the file of an Assistant Agent. All these were disposed of and the results are shown below :— MISCELLANEOUS CASES.

			Disposals.
Without trial			4
Without contest.	Compromised		2
	Ordered on confession		18
	Ordered *ex parte*		7
	Dismissed *ex parte*		...
After contest...	Ordered for petitioner		...
	„ counter-petitioner		4
	By arbitration		1
		Total	36

308. The average duration of the contested applications disposed of was 41 days. Average duration.

IV.—District Munsifs' Courts.

Number of Courts.

309. In 1882, there were 111 regular Courts exercising the powers of a District Munsif under Madras Act III of 1873. Three Sub-Magistrates in the Districts of Coimbatore, Madura and South Malabar, also exercised the powers of a District Munsif.

SUITS.

A.—SUITS.

Institutions.

I.—INSTITUTIONS.

310. 64,206 Ordinary Suits and 70,824 Small Causes were instituted in these Courts in 1882.

Institutions of 1882 compared with the previous ten years.

311. Below is exhibited the variation from year to year in the number of Suits instituted in these Courts for the years, 1872 to 1882.

Year.	Ordinary Suits.	Small Causes.	Total.
1872...	53,322	77,398	1,35,720
1873...	56,081	79,271	1,35,352
1874...	60,430	84,095	1,44,525
1875...	60,171	78,925	1,39,096
1876...	61,598	79,269	1,40,867
1877...	57,606	68,654	1,26,260
1878...	64,262	75,082	1,39,344
1879	70,421	83,141	,53,532
1880	66,173	78,762	1,44,935
1881	65,671	76,300	1,41,971
Total for 8 years ...	5,06,332	6,24,228	11,30,560
Average...	63,291	78,029	1,41,320
Compare 1882.	64,206	70,824	1,35,030

312. For the reason given in para. 260 of the last report, *viz.*, the extension of the Munsifs' pecuniary jurisdiction, the comparison in the above table is confined to the 8 years beginning from 1874.

313. The total institution in 1882 was less than in 1880 and 1881 by 9,905 and 6,941 Suits respectively; and less than the average of the last eight years by 6,290 Suits. The decrease occurs chiefly in Small Causes, the year under review showing a falling off from 1880 and 1881 by 7,938 and 5,476 Suits respectively, and from the average, by 7,205. A steady decrease beginning from 1879 is observable in this class of litigation. In Ordinary Suits, the institutions of 1882 are almost equal to those of 1878, but show a decrease of 1,967 and 1,465 Suits as compared with 1880 and 1881 respectively. As compared with the average, however, 1882 shows an increase of 915 Suits.

SUITS.

Institutions of the past five years, distributed by Districts.

314. The following is a comparative statement showing the distribution, by Districts, of these Suits for the five years, 1878 to 1882.

Districts.	Number of District Munsifs in 1882.	Ordinary Suits.					Small Causes.				
		1878.	1879.	1880.	1881.	1882.	1878.	1879.	1880.	1881.	1882.
Arcot (N.) ...	5	3,427	4,780	3,443	3,602	3,221	2,422	3,160	3,676	3,254	2,878
Arcot (S.) ...	4	2,815	2,919	2,764	2,839	2,815	3,839	3,533	2,947	2,990	3,005
Bellary ...	5	2,606	2,511	1,991	2,100	2,044	1,348	1,633	1,570	1,529	1,245
Canara (S.) ...	8	2,610	2,503	2,664	2,916	3,173	2,205	2,230	2,297	2,644	2,592
Chingleput ...	3	2,424	2,128	2,152	2,087	2,117	1,656	1,704	1,624	1,569	1,518
Coimbatore ...	5	3,187	3,445	3,436	3,362	3,212	1,551	1,584	1,515	1,631	1,452
Nilgiris ...	...	82	131	143	161		221	481	360	272	
Cuddapah ...	6	2,894	3,207	2,354	2,375	2,119	2,886	3,404	2,278	2,051	1,651
Ganjam	4	2,081	2,086	2,166	2,268	2,324	2,020	2,297	2,341	2,379	2,282
Godavari... ...	7	3,752	4,340	4,681	4,617	4,909	4,274	5,794	5,674	5,162	4,703
Kistna ...	5	3,797	4,358	4,278	4,081	3,843	3,875	4,651	4,851	4,575	3,769
Kurnool ...	3	1,658	1,926	1,334	1,219	1,087	1,420	1,698	1,027	1,111	896
Madura ...	5	2,967	3,303	3,232	3,551	3,481	6,150	6,143	6,638	5,426	4,516
Malabar (N.) ...	5	3,389	3,727	3,637	3,513	3,212	9,392	9,879	9,340	9,065	8,349
Malabar (S.) ...	11	7,553	8,171	8,257	7,641	7,638	8,367	9,246	9,063	8,253	7,633
Nellore ...	3	2,769	3,604	2,576	2,611	2,622	1,828	2,917	1,774	1,782	1,840
Salem ...	5	3,759	3,860	3,016	2,940	2,586	3,719	3,704	2,604	2,514	2,097
Tanjore (N.) ...	6	1,773	1,963	2,044	1,970	2,044	3,351	3,646	3,399	3,771	4,026
Tanjore (S.) ...	7	2,497	2,588	2,855	3,109	3,215	4,974	5,515	5,065	5,892	6,157
Tinnevelly ...	5	3,057	3,144	3,200	3,119	3,257	4,049	3,908	4,381	4,276	4,428
Trichinopoly ...	3	2,416	2,946	2,683	2,578	2,600	2,376	2,580	2,559	2,380	2,193
Vizagapatam ...	6	2,749	2,781	3,267	3,112	2,687	3,159	3,584	3,779	3,774	3,589
Total ...	111	64,262	70,421	66,173	65,671	64,206	75,082	83,141	78,762	76,300	70,824
Average per District...	5	3,060	3,353	3,151	3,127	3,057	3,575	3,959	3,751	3,633	3,372

315. These figures show an increase of Ordinary Suits in 1882 as compared with 1881, in 9 Districts, and this increase is most marked in South Canara and Godavari. In Vizagapatam, North Arcot, Salem, North Malabar and Cuddapah, the decrease is very considerable, the institutions of 1882 being fewer than in any of the preceding four years. No explanation has been received of the decrease of litigation in Vizagapatam; but in Salem, it is probable that the riots of 1882 may have contributed to it. As to North Malabar, the District Judge suggests that the heavy rains of last year, which caused depression of trade and depreciation in value of property, may have in some measure effected a reduction in the amount of litigation in that District, and the decrease in Cuddapah may well be set down to the recovery of that District from the effects of the famine of 1877 already adverted to and to its consequent increased prosperity. In South Canara, Ganjam, Godavari and South Tanjore, the files have continued steadily to rise, while the tendency to a decline, noticed in last year's report, is observable in this year also, in Kistna, Kurnool, North Malabar and Salem. In Small Causes, there has been an increase, as compared with 1881, in five Districts only. In North and South Tanjore, the increase is, as in 1881, considerable. In North Arcot, Cuddapah, Godavari, Kistna, Madura, Malabar (North and South) and Salem, there has been a clear falling off in the files as compared with 1880 and 1881.

Average institutions per Court for the past five years.

316. The following statement exhibits the average number of Suits instituted per District Munsif's Court, in each District, for the 5 years, 1878 to 1882. In calculating this average, the Courts at Gudalore, Palni Hills and Anjengo have not

* The figures in this table differ from those in para. 259 of the report for 1881, as they do not include Suits instituted in the Courts of Munsifs in the Agency Tracts, which are dealt with in a separate chapter in this report.

SUITS.

Average institutions per Court for the past five years.

been taken into account, as they are Courts of Sub-Magistrates specially invested with the powers of a District Munsif.

District.	Number of District Munsifs in 1882.	Average number instituted per Court.									
		Ordinary Suits.					Small Causes.				
		1878.	1879.	1880.	1881.	1882.	1878.	1879.	1880.	1881	1882.
Arcot (N.) ...	5	685	956	689	738	644	484	632	735	651	575
Arcot (S.) ...	4	704	780	691	710	704	960	883	737	747	751
Bellary ...	5	521	502	398	420	409	269	326	314	306	249
Canara (S.) ...	8	326	313	335	352	397	276	279	287	330	324
Chingleput ...	3	808	709	717	695	706	552	568	541	523	506
Coimbatore ...	5	637	689	687	672	629	310	317	303	326	279
Cuddapah ...	6	482	534	392	396	353	481	567	380	342	275
Ganjam ...	4	520	521	541	567	581	505	574	585	595	570
Godavari ...	7	536	620	669	659	701	610	828	810	737	672
Kistna ...	5	759	871	855	816	768	775	930	970	915	754
Kurnool ...	3	553	642	445	406	362	473	566	342	370	298
Madura ...	5	593	660	646	710	691	1,230	1,228	1,327	1,085	892
Malabar (N.) ...	5	678	755	727	702	642	1,878	1,976	1,868	1,813	1,670
Malabar (S.) ...	11	687	743	751	695	693	761	840	824	750	694
Nellore ...	3	923	1,201	859	870	874	609	939	591	594	613
Salem ...	5	752	772	603	588	517	744	741	521	503	419
Tanjore (N.) ..	6	295	327	340	328	341	559	608	566	628	671
Tanjore (S.) ...	7	357	370	408	414	459	710	788	723	842	879
Tinnevelly ...	5	611	629	640	624	651	810	781	876	855	885
Trichinopoly ...	3	805	982	894	859	867	792	860	853	793	732
Vizagapatam ...	6	458	463	544	519	448	526	597	629	629	598
Total...	111	12,690	13,989	12,829	12,770	12,437	14,314	15,828	14,782	14,334	13,306
Average per District...	5½	604	666	611	608	592	682	754	704	683	633

317 As in last year, Nellore shows the highest average of Ordinary Suits per Court, and next in order come Trichinopoly, Kistna, Chingleput, South Arcot and Godavari. The averages are lowest for South Canara, Cuddapah and North Tanjore. In Tinnevelly, the file of Ordinary Suits in the Srivilliputtur District Munsif's Court, as compared with those of the other Munsifs' Courts in the District, stands as follows :

Srivilliputtur	874
Srivaikuntam	653
Tuticorin	641
Ambasamudram	614
Tinnevelly	475

The heavy file of the Srivilliputtur Court is attributed to the non-investiture of the Subordinate Judge's Court of Tinnevelly with Small Cause jurisdiction over the Srivilliputtur and Ottapadaram Taluks.

318. In Small Causes, North Malabar continues to head the list, and the next highest averages are for Madura, Tinnevelly and South Tanjore. The averages are very low in Coimbatore, Cuddapah and Bellary.

SUITS.

Institutions of 1882 classified according to subject-matter.

319. Below is a classification, according to subject-matter, of the Ordinary Suits and Small Causes instituted in these ordinary Courts, showing the proportion the number in each class bears to the total.

		Ordinary Suits.		Small Causes.	
		Number.	Percentage.	Number.	Percentage.
Suits for money or moveable property.	On contract in writing	20,296	31·61	36,666	51·77
	On contract not in writing. ...	1,485	2·31	13,229	18·68
	Rent...	1,518	2·36	7,130	10·07
	Moveable property or its value ...	802	1·25	1,948	2·75
	Damages	532	0·83	453	0·64
	Other Suits	2,193	3·42	11,398	16·09
Title and other Suits.	Relating to real property	34,780	54·17	...	...
	Other Suits	2,600	4·05	...	...
	Total...	64,206	100·00	70,824	100·00

320. In Ordinary Suits, the largest number, *viz.*, 54·17, consisted of Suits relating to real property, and Suits for money due on written contracts bore a proportion of only 31·61, or less than one-third, to the total. The inversion of these results last year was due to the error in classification explained in para. 173 *supra*.

321. In Small Causes, more than one-half were Suits on written contract.

322. The following table distributes these Suits according to Districts and also according to subject-matter.

Institutions of 1882 distributed according to Districts and subject-matter.

Districts.	Suits for money or moveable property.		Title and other Suits.	Total.
	Ordinary.	Small Causes.		
Arcot (North)	1,357	2,878	1,864	6,099
Arcot (South)	64	3,005	2,751	5,820
Bellary	1,288	1,245	756	3,289
Canara (South)	1,845	2,592	1,328	5,765
Chingleput	931	1,518	1,186	3,635
Coimbatore	1,529	1,452	1,683	4,664
Cuddapah	1,577	1,651	542	3,770
Ganjam	1,533	2,282	791	4,606
Godavari	2,946	4,703	1,963	9,612
Kistna	2,085	3,769	1,758	7,612
Kurnool	684	896	403	1,983
Madura	631	4,516	2,850	7,997
Malabar (North)..	66	8,349	3,146	11,561
Malabar (South)	3,197	7,633	4,441	15,271
Nellore	1,670	1,840	952	4,462
Salem	1,130	2,097	1,456	4,683
Tanjore (North)	842	4,026	1,202	6,070
Tanjore (South)	212	6,157	3,003	9,372
Tinnevelly	318	4,428	2,939	7,785
Trichinopoly	1,116	2,198	1,484	4,798
Vizagapatam	1,805	3,589	882	6,276
Total...	26,826	70,824	37,380	1,35,030
Average per District...	1,277	3,373	1,780	6,430

323. Malabar had the largest file both in Suits (Ordinary and Small Causes) for "money or moveable property" and in "Title and other Suits", the latter, *viz.*, 7,587, being about one-fifth of the total for the Presidency. The next largest file of Title and other Suits was in South Tanjore. Kurnool, as usual, had the smallest number of them.

SUITS.

Aggregate and average value.

324. The value of 611 Ordinary Suits could not be estimated in money, and the total value of the remaining 63,595 Ordinary Suits was Rs. 1,12,74,158 (as compared with Rupees 1,10,96,715 in 1881), giving an average of Rs. 174 per Suit against Rs. 171 in 1881. The value of the 70,824 Small Causes was Rs. 16,49,877, giving an average of Rs. 23 per Suit against Rs. 22 in 1881.

Institutions of 1882 classified according to value.

325. Below is a distribution of these Suits according to value.

Grade of value.	Ordinary Suits.		Small Causes.	
	Number.	Percentage.	Number.	Percentage.
Not exceeding 10 Rupees	2,163	3·37	15,176	21·43
Above 10 Rs. and not exceeding 50 Rs.	12,828	19·98	55,648	78·57
„ 50 „ 100 „	21,154	32·95	...	...
„ 100 „ 500 „	22,669	35·31	...	...
„ 500 „ 1,000 „	3,213	5·00	...	...
„ 1,000 „ 2,500 „	1,568	2·44	...	...
Not estimable in money	611	·95	...	...
Total...	64,206	100·00	70,824	100·00

326. Over 91 per cent. of the Ordinary Suits did not exceed Rupees 500 in value. Of values between 1,000 and 2,500 Rupees, there were 1,568 Suits against 1,469 last year. In Small Causes, nearly one-fifth were for 10 Rupees and under.

Disposals.

II.—DISPOSALS.

327. Including 324 Ordinary Suits and 5 Small Causes received by remand, and 1,027 Ordinary Suits and 920 Small Causes re-admitted, the admissions during the year on the files of these Courts amount to 65,557 Ordinary Suits and 71,749 Small Causes.

328. Including 17,893 Ordinary Suits and 5,715 Small Causes pending at the close of 1881, and excluding transfers, the net totals for disposal were 83,369 Ordinary Suits and 77,467 Small Causes. Of these, 64,886 Ordinary Suits and 71,754 Small Causes were disposed of, leaving 18,483 Ordinary Suits and 5,713 Small Causes pending at the close of the year.

Work done by Magistrate-Munsifs excluded.

329. These figures include the work of the Sub-Magistrates of Gudalur, Palni Hills and Anjengo, who, as already stated, are invested with the powers of a District Munsif. In these three Courts, there were 123 Ordinary Suits and 101 Small Causes for disposal, of which, 86 Ordinary Suits and 76 Small Causes were disposed of, leaving 37 Ordinary Suits and 25 Small Causes pending at the close of the year. The work of these three special Courts is excluded from the four tables next following, which therefore deal with that of the ordinary District Munsifs only.

SUITS.

330. The variations from year to year in the work for disposal, disposed of, and in arrear, for the last eight years, 1874 to 1881, in the ordinary District Munsifs' Courts, will appear from the following statement.

Work of 1882 compared with the previous eight years.

Year.	No. of District Munsifs.	Ordinary Suits.					Small Causes.				
		No for disposal.	No. disposed of.	No. in arrear.	Percentage of arrears to total for disposal.	Average number disposed of per Court.	No. for disposal.	No. disposed of.	No. in arrear.	Percentage of arrears to total for disposal.	Average number disposed of per Court.
1874	111	87,563	62,927	24,636	28·14	567	92,187	65,858	6,329	6·87	773
1875	111	85,857	63,625	22,232	25·89	573	85,736	78,994	6,742	7·86	711
1876	111	84,791	64,153	20,638	24 34	596	86,469	80,737	5,732	6·63	727
1877:.. ...	111	79,281	60,766	18,515	23 35	547	74,849	70,190	4,659	6·22	632
1878	111	83,552	63,769	19,783	23·68	574	80,089	72,884	7,205	9·00	656
1879	111	90,764	70,115	20,649	22 75	631	90,665	83,027	7,638	8·42	748
1880 ...	111	87,496	68,393	19,103	21·83	616	86,715	80,143	6,572	7·58	722
1881	111	85,528	67,652	17,876	20 90	609	83,598	77,889	5,709	7·33	702
Average...	111	85,604	65,175	20,429	23·86	587	85,038	78,715	6,323	7 44	709
Compare 1882.	111	83,246	64,800	18,446	22 15	584	77,366	71,678	5,688	7·35	646

331. Both in Ordinary Suits and Small Causes, the disposals of 1882 exceeded the institutions of the year by 700 and 949 Suits respectively, though they fell below the numbers disposed of in the three preceding years: they were also less than the average of the past eight years. The percentage of arrears in Ordinary Suits was slightly over that in the two preceding years, but less than the average. In Small Causes, the percentage of arrears was about equal to the average.

332. The following figures give the general result of these Suits.

Mode of disposal.

Disposed of.		Ordinary Suits.			Small Causes.		
		Number	Percentage.		Number.	Percentage.	
Without trial		6,881	100·00	10·62	11,716	100·00	16·35
Without contest ..	Compromised .	13,371	40 22	51·30	15,256	34·84	61·10
	Decreed on confession	4,181	12 58		6,970	15·91	
	Decreed *ex parte* .	14,569	43·83		19,525	44·58	
	Dismissed *ex parte*	1,120	3·37		2,045	4·67	
	Total...	33,241	100·00		43,796	100 00	
With contest ...	Decreed for plaintiff in whole or in part	18,315	71·21	38·08	11,577	71·61	22·55
	Decreed for defendant	6,169	25·00		4,532	28 04	
	By arbitration ...	194	·79		57	·35	
	Total...	24,678	100·00		16,166	100·00	
	Grand Total...	64,800		100·00	71,678		100·00

SUITS.

Mode of disposal.

333. The results shown in this table are pretty much the same as those in last year. More than one-half of Ordinary Suits and 61 per cent. of Small Causes were disposed of without contest, and of these, nearly 44 per cent. in each class were decreed *ex parte*. 38·08 per cent. of the Ordinary Suits were contested cases, nearly three-fourths of which were decided in favour of plaintiff: in Small Causes, 22½ per cent. were decided after contest, plaintiff succeeding in a little less than three-fourths of them. The number of cases referred to arbitration was but small.

Disposals of 1882 compared in detail with the previous eight years.

334. The following table compares these results with those of the preceding eight years.

Year.	Ordinary Suits disposed of.							Small Causes disposed of.						
	Without trial.	Without contest.	After contest.	For plaintiff.	For defendant.	Percentage. Of col. 4 to total.	Percentage. Of col. 6 to col. 5	Without trial.	Without contest.	After contest.	For plaintiff.	For defendant.	Percentage. Of col. 11 to total.	Percentage. Of col. 13 to col. 12.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1874 ..	3,231	34,787	24,909	19,884	9,188	39·58	46·21	7,138	53,447	25,273	49,329	10,140	29·44	20·56
1875...	3,182	34,768	25,675	36,284	9,511	40·35	20·74	5,913	48,359	24,722	46,006	9,263	31·30	20·14
1876...	3,214	35,633	25,306	37,464	8,865	39·45	23·66	6,817	51,119	22,801	45,769	9,352	28·24	20·43
1877...	2,771	33,116	24,879	35,901	8,804	40 94	24·52	5,479	43,616	21,095	40,457	8,032	30·05	19·85
1878...	3,183	36,154	24,432	37,965	7,912	38·31	20·84	5,585	48,162	19,137	42,143	6,716	26·26	15·94
1879...	3,126	40,986	26,003	41,627	7,963	37·09	19·13	6,627	55,607	20,793	48,614	7,333	25·04	15 08
1880 ..	3,050	40,353	24,985	39,533	7,961	36·53	20·14	7,296	52,977	19,870	44,885	7,385	24.79	16·45
1881...	7,171	35,023	25,458	38,408	7,831	37 63	20·38	12,171	48,167	17,551	41,748	7,443	22·53	17·88
Total.	28,928	2,90,825	2,01,647	2,87,066	68,035	38 67	23·70	57,026	4,01,454	1,71,242	3,58,951	65,664	271·9	18·29
Average.	3,616	36,353	25,206	35,886	8,504	38·67	23·70	7,128	50,182	21,405	44,869	8,208	27·19	18·29
1882...	6,881	33,241	24,678	37,065	7,289	38 08	19 67	11,716	43,796	16,166	38,072	6,577	22·55	17·2

335. In Ordinary Suits, the number of contested cases disposed of was less than in the three years immediately preceding and less also than the average of the last eight years; but the percentage of such cases to the total disposals was higher than in the three previous years and was only slightly below the average. Cases disposed of without trial were nearly double the average, but fewer than in 1881. There has been a falling off since 1879 in the number of uncontested cases. The proportion of cases decided in favour of plaintiff to those for defendant continues to be as high as in 1881, *viz.*, as 5 to 1.

336. In Small Causes, the number of contested cases was less than the figures in any of the previous eight years. The number disposed of without trial was considerably higher than the average, and was only less than the number in 1881 by 455 Suits. Cases decided without contest have fallen off here also since 1879. Cases decided for plaintiff are to those decided for defendant as 11 to 2, as in 1881.

SUITS.

337. The following table compares, by Districts, the total number of cases disposed of with the total filed, and the number of contested cases disposed of, with the total disposals, for 1882.

Files, disposals and contested cases compared.

District.	Ordinary Suits.				Small Causes.			
	Total on the file.	Total disposed of.	Total disposed of after contest	Percentage of col 4 to col 3.	Total on the file.	Total disposed of.	Total disposed of after contest	Percentage of col. 8 to col. 7
1	2	3	4	5	6	7	8	9
Arcot (North)	3,296	3,647	1,110	30·43	2,924	3,118	569	18·24
Arcot (South)	2,804	2,747	1,041	37·89	3,026	3,070	741	24·13
Bellary	2,082	2,039	841	41·24	1,254	1,315	304	23·11
Canara (South)	3,265	3,165	1,629	51·46	2,644	2,745	757	27·5
Chinglepat	2,192	1,970	686	34·82	1,545	1,484	266	17·99
Coimbatore	3,180	3,016	953	31·59	1,410	1,401	324	23·12
Cuddapah	2,179	2,287	788	34·45	1,667	1,688	312	18·48
Ganjam	2,377	2,202	991	45·00	2,307	2,229	752	34·18
Godavari	5,049	4,734	1,898	40·09	4,772	4,808	1,207	25·10
Kistna	3,922	4,268	1,320	30·92	3,863	3,914	691	17·65
Kurnool	1,093	1,094	270	24·68	900	943	133	14·10
Madura	3,544	3,403	1,277	37·52	4,576	4,566	1,206	26·41
Malabar (North)	3,270	3,221	1,578	48·99	8,457	8,296	1,794	21·62
Malabar (South)	7,768	7,874	3,554	45·13	7,718	7,569	1,993	26·33
Nellore	2,651	2,496	769	30·80	1,847	1,842	334	18·13
Salem	2,656	2,787	824	29·56	2,143	2,160	373	17·26
Tanjore (North)	2,075	2,033	704	34·62	4,065	3,937	812	20·62
Tanjore (South)	3,256	3,074	1,073	34·91	6,239	6,167	1,159	18·79
Tinnevelly	3,297	3,074	1,136	36·95	4,461	4,301	1,042	24·22
Trichinopoly	2,629	2,700	763	28·25	2,205	2,249	375	16·67
Vizagapatam	2,785	2,969	1,473	49·61	3,634	3,876	1,022	26·36
Total ...	65,370	64,800	24,678	38·08	71,657	71,678	16,166	22·55

338. In the following Districts, the work disposed of exceeded the file during the year—South Malabar, Kistna, North Arcot, Salem, Cuddapah and Vizagapatam. On the other hand, the number disposed of was less than the number filed in Godavari, Tinnevelly, Chingleput, South Tanjore, Ganjam, Coimbatore, Nellore and Madura.

339. The percentage of contested Suits disposed of was highest in Canara (South), Vizagapatam and North Malabar. In North and South Malabar, 49 and 45 per cent. respectively of the Suits were contested. Kurnool shows the smallest proportion of Suits decided after contest.

340. Only in two Districts—North Arcot and Vizagapatam—did the number of Small Causes disposed of considerably exceed the number filed. In North and South Malabar, the work disposed of was less than the work received. The figures for the other Districts show that the Courts were able to keep the files well in hand.

Average duration.

341. In Ordinary Suits, the average duration of cases disposed of after contest was 141 days, and that of cases decided without contest, 112 days. In Small Causes, the average pendency of the contested and uncontested cases disposed of was 42 and 35 days respectively.

SUITS.

III.—ARREARS.

Arrears.

342. At the end of 1882, there were 18,483 Ordinary Suits and 5,713 Small Causes, as shown below, against 17,893 and 5,715 respectively at the close of 1881, awaiting disposal:—

	Ordinary Suits.	Small Causes.
Pending return of summons	4,946	3,034
„ „ commission	154	2
„ Settlement of issues	3,010	...
„ Award of arbitrators	70	4
„ Final disposal	10,207	2,668
„ Judgment or decree	96	5
Total...	18,483	5,713

343. Of these, 7,037 Ordinary Suits and 166 Small Causes were more than three months old and include 754 Ordinary Suits and 1 Small Cause pending over twelve months. At the end of 1881, there were only 6,310 Ordinary Suits and 159 Small Causes pending over three months. For the reason given in para. 289 of the last year's report, this comparison cannot be carried further back than 1881.

Arrears of over twelve months compared with the previous ten years.

344. The following table compares the numbers of Ordinary Suits and Small Causes, pending over 12 months at the end of 1882 with the corresponding figures for the preceding eight years, 1874 to 1881.

	Ordinary Suits.	Small Causes.
1874...	2,045	5
1875...	861	4
1876...	614	1
1877...	768	68
1878...	364	3
1879...	239	...
1880...	252	2
1881...	320	2
Total...	5,463	85
Average...	683	11
Compare 1882...	754	1

Causes of pendency.

345. The number of Ordinary Suits pending for upwards of 12 months at the end of 1882 is greater than in any of the preceding four years, and is considerably more than double the number in 1881. This sudden leap is owing to the pendency of too many old Suits in the Godavari and North Arcot Districts, *viz.*, 294 and 203 respectively. Of the former number, 145 were pending in the Court of the District Munsif of Ellore, and 124 in that of Tanuku. The majority of cases in the Ellore Court are stated to have been postponed at the request of parties or on account of other work; and the causes alleged by the Tanuku Munsif are heavy file and pressure of work. Of the 203 Suits pending in North Arcot, as many as 201 were in the Court of the District Munsif of Arni, who alleges pressure of work, &c., as an explanation. There were also 60 Suits in the Tinnevelly District, 54 of which were in the Ambasamudram Munsif's Court. In the Coimbatore District, there were 56 old Suits, of which 53 were pending in the Coimbatore Munsif's Court. In the Courts in Madura and South Tanjore, there were pending 32 and 27 Suits respectively. The only Small Cause Suit of more than one year's standing was pending in the Court of the District Munsif of Ongole in the Nellore District. The age of the oldest pending Suits and the Courts in which they were pending, are shown below:—

Courts with the oldest pending suits.

	Ordinary Suits.	Small Causes.		Ordinary Suits	Small Causes.
Arni	1,120 days	...	Tirumangalam... ...	523 days.	...
Ellore	1,005 „	345 days	Punamalli	481 „	...
Ambasamudram. ...	886 „	...	Dindigul	465 „	...
Kumbhakonam... ...	722 „	339 „	Bapatla	449 „	...
Gudalore	645 „	...	Palghaut	430 „	...
Vridhachalam	591 „	312 „	Chicacole	426 „	...
Mangalore	541 „	333 „	Chavacheri	412 „	...
Ongole	536 „	405 „	Namakal	402 „	353 days.
Bellary	523 „	...	Kambham		340 „

IV.—UNREGISTERED PLAINTS.

SUITS.

346. During the year under review, 424 plaints in Ordinary Suits and 181 in Small Causes were rejected or returned before registration; and 326 of the former and 273 of the latter were pending registration at the close of the year, the oldest in each class having been allowed to remain unregistered for 41 and 123 days respectively in the Court of the District Munsif of Ongole. Unregistered plaints.

B.—EXECUTIONS. EXECUTIONS.

347. 1,23,470 applications for execution were received in the District Munsifs' Courts during the year. Including 18,733* pending at the beginning of 1882, 4,107 transferred from other Courts, 36 remanded, and 1,975 re-admitted, the total number for disposal was 1,48,321. Institutions.

348. Deducting 2,452 transferred to other Courts for execution, the net total for disposal was 1,45,869. Of these, 1,26,547 were disposed of, 32,571 being withdrawn or otherwise not prosecuted, or rejected, or dismissed, and the proceedings being otherwise finally closed in 93,976 cases, as shown below.— Disposals.

Decrees how satisfied.

Number of cases in which satisfaction was obtained through Court in whole or in part	38,000
,, adjusted out of Court	11,278
,, in which execution was wholly infructuous...	44,698
	93,976

349. Of the 38,000 cases in which satisfaction was obtained through Court, process had been issued in 35,049.

Decrees how executed.

350. Of the 93,976 cases in which proceedings were finally closed, no process had been issued in 4,505. Of the remaining 89,471 cases, Judgment-debtors were arrested but released in 7,690, and moveable and immoveable property were attached but released in 5,000, and the remaining 76,781 cases are distributed below according to the modes in which execution was effected.

Number of cases in which judgment-debtor was imprisoned...	...	684
,, in which moveable property was transferred or sold	...	2,499
,, Do. do. immoveable do.	...	15,228
,, immoveable property was otherwise dealt with ...	...	390
,, Specific performance was enforced	...	504
,, Partition was effected	...	57
,, in which execution was otherwise effected. ...	...	57,429
	Total...	76,781

Average detention of Judgment-debtors in Jail.

351. In the 684 cases abovementioned, 701 Judgment-debtors were imprisoned in Civil Jail, 285 for Judgment-debts not exceeding 50 Rupees, and the rest(416) for sums exceeding that sum. The average period for which the former were detained in Jail was 16 days, and the latter, 42 days.

Amount realized.

352. Rs. 22,09,304 was realized on account of suitors after issue of process, and Rs. 3,40,951 were voluntarily paid into Court; the total being Rs. 25,50,255.

Average duration.

353. The average duration of the disposed-of applications for execution was 58 days.

Arrears and causes of pendency.

354. 19,322 applications were awaiting disposal at the end of 1882, and of these, 210 were pending for more than a year. 79 of these old applications were pending in the Courts of the Godavari District, the Munsif of Tanuku alone having 52 on his file. Out of 37 in the Kistna District, 35 were in the Guntur Munsif's Court, and the delay in their disposal is attributed to various causes, such as investigation of counter-claims, &c. There were 24 in the South Canara Courts lying over on account of objections in execution and non-receipt of necessary records, &c., and an equal number in the Court of the Arni Munsif in North Arcot were awaiting disposal of claims and regular suits touching the properties attached in execution.

Unregistered applications.

355. 949 applications for execution were rejected or returned before registration, and 455 remained unregistered at the close of the year, the oldest of these being pending in the Court of the District Munsif of Sivaganga for 43 days.

* These do not agree with the figures in para. 302 of the report for 1881 owing to an error in the returns for 1881.

INSOLVENCY.

C.—INSOLVENCY.

Institutions, disposals, &c.

356. 433 applications for declaration of insolvency were received during the year as against 392 in 1881. Of these, 3 were from decree-holders, 18 from judgment-debtors not under arrest or imprisonment, and 412 from those under arrest or imprisonment. Including 98 pending from the end of last year and one received by transfer, there were 532 applications for disposal. Of these, 205 were withdrawn or otherwise not prosecuted, and 102 were granted, receivers being appointed in 5 cases only; 129 applications were rejected, sentence of imprisonment under Section 359, Civil Procedure Code, being passed in 9 cases.

Estates in receivers' hands and amounts realized and disbursed.

357. 12 Estates were placed in charge of Receivers during the year. Including 7 pending from the end of 1881, there were, in all, 19 Estates in the hands of Receivers. Proceedings were finally closed in 10 of these during the year. The amount realized was Rupees 1,683; of this sum, Rupees 1,652 were paid out to creditors, and Rupees 31 were left undisbursed at the close of the year.

Average duration.

358. The average duration of disposed-of applications was 99 days.

Arrears.

359. At the end of the year, 96 applications were pending for varying periods under a year.

Unregistered applications.

360. 3 applications for declarations of insolvency were rejected before registration, and three remained unregistered at the close of the year, the oldest of them having been pending in the Court of the Arni District Munsif for 15 days.

MISCELLANEOUS CASES.

D.—MISCELLANEOUS CASES.

Institutions.

361. 210,514 applications, other than for execution of decrees and for declaration of insolvency, were received during the year, the largest number in any District, *viz.*, 23,591, being, as in last year, filed in the Courts in the Godavari District, and the smallest (3,836) in those of Kurnool.

Disposals.

362. Including 3,865* pending at the beginning of the year, 13 remanded and 78 re-admitted, and excluding transfers, there were 214,458 applications for disposal. Of these, 2,10,398 were disposed of as follows :—

Mode of disposal.

Without trial		8,659
Without contest.	Compromised	5,751
	Ordered on confession	17,921
	„ *ex parte*	136,372
	Dismissed *ex parte*	7,484
With contest.	Ordered for petitioner	22,864
	„ counter-petitioner	11,313
	By arbitration	34
	Total...	210,398

Average duration.

363. The average duration of contested applications disposed of was 24 days.

Arrears.

364. 4,060 applications were pending disposal at the close of the year.

Pending return of notice	1,120
„ Award of Arbitrator	1
„ Final disposal	2,808
„ Judgment or order	131
Total...	4,060

365. Of these, 12 applications were pending for more than a year, as many as 9 of them being in the Courts of the Godavari District. The oldest application was pending in the District Munsif's Court of Barkur for 535 days.

Unregistered applications.

366. 159 applications were rejected or returned before registration, and 353 were pending registration at the end of the year, the oldest being pending in the Court of the District Munsif of Ambasamudram for 20 days.

* These figures do not correspond with those in para 312 of the report for 1881, as they include the cases pending in the Court of the Magistrate-Munsif at Gadalore.

V—Subordinate Judges' Courts.

367. In 1882, there were 15 Subordinate Judges vested with original jurisdiction, as against 14 in 1881. The increase is owing to the constitution of a Subordinate Judge's Court at Ootacamund on the abolition of the Nilgiri Commission on the 1st February 1882. The Subordinate Judge's Court at Vizagapatam, which, as stated in last year's report, had been established on the 1st November of that year, was in existence only for ten months in the year under review, having been closed on the 31st October. Number of Courts.

A.—SUITS.

SUITS.

I.—INSTITUTIONS.

Institutions

368. 791 Ordinary Suits and 11,280 Small Causes were instituted in these Courts during the year. These 791 Ordinary Suits include 50 Summary Suits on Negotiable Instruments under Chapter XXXIX of the Code of Civil Procedure.

369. The following figures show the variations from year to year in the number of Suits instituted in these Courts for the years, 1872 to 1882. 1882 compared with the previous ten years.

Year.	Ordinary Suits.	Small Causes.	Total.
1872	1,404	13,201	15,605
1873	727	16,408	17,135
1874	615	14,116	14,731
1875	489	11,851	12,340
1876	572	13,495	14,067
1877	465	10,487	10,952
1878	686	11,844	12,530
1879	626	11,994	12,620
1880	635	11,474	12,109
1881	596	10,831	11,427
Total for the last eight years ...	4,684	96,092	100,776
Average	585	12,011	12,596
Compare 1882	791	11,280	12,071

370. Here also, the average has, for reasons already stated (para. 312), been struck for the previous eight years only. Compared with the institutions in any of the previous eight years, 1882 shows a very considerable increase in Ordinary Suits, being in excess of the average by 206 Suits. This increase is mainly attributable to the constitution of a Subordinate Judge's Court at Ootacamund, the Suits heretofore instituted in the Courts of the Assistant Judicial Commissioner and the Judicial Commissioner (who exercised the powers of a District Munsif and District Judge respectively) being now received on the file of the Subordinate Judge. In Small Causes, 1882 shows an increase of 449 Suits over 1881, but falls below the average by 731.

SUITS.

Institutions of the past five years distributed by Districts.

371. The following is a comparative statement exhibiting the distribution, by Districts, of these Suits for the years, 1878 to 1882.

District.	Ordinary Suits.					Small Causes.				
	1878.	1879.	1880.	1881.	1882.	1878.	1879.	1880.	1881.	1882.
Arcot, South (*Cuddalore*) ...	16	12	15	17	10	901	1,006	1,009	982	982
Bellary	125	57	46	66	49	196	505	437	498	459
Canara, South (*Mangalore*) ...	43	30	47	33	47	...	...	...	...	...
Coimbatore (*Ootacamund*). ...	...	...	...	...	116	...	...	...	...	321
Ganjam	11	1	...	...	...	...	...	...	...	...
Godavari (*Cocanada*)	43	35	24	30	30	646	744	855	950	929
Madura { *East* ...	64	72	76	53	60	2,571	2,391	2,386	976	667
Madura { *West* ...			40	38	25				861	706
Malabar, North (*Tellicherry*)	38	44	32	39	42	1,772	1,829	1,681	1,590	1,475
Malabar (South) { *Calicut*	119	149	66	61	61	643	797	796	429	343
Malabar (South) { *Cochin*			65	72	60				311	405
Salem	23	2	...	...	...	441	101	...	...	...
Tanjore, North (*Negapatam*)...	101	85	128	79	82	1,350	1,747	1,489	1,693	1,950
Tanjore (South) { *Tanjore*	63	102	34	33	98	1,974	1,680	1,830	790	838
Tanjore (South) { *Kumbhakonam* ...			19	23	20				954	1,100
Tinnevelly	36	34	43	44	42	1,350	1,184	991	776	760
Vizagapatam	4	3	...	8	49	...	...	...	21	345
Total ...	686	626	635	596	791	11,844	11,994	11,474	10,831	11,280
Average...	43	39	49	43	53	911	923	956	833	806

372. The averages in this table have been calculated with reference to the number of Subordinate Judges in each year, and it will be noticed that the average institution of Ordinary Suits in 1882 is higher than that of any of the preceding years. The increased average has, as already observed, been chiefly contributed to by the newly constituted Nilgiris Subordinate Judge's Court. Omitting Nilgiris, the average institution is reduced to 48. The average institutions of Small Causes show a considerable decrease below the average of the preceding four years.

373. In Ordinary Suits, the Tanjore Subordinate Judge's Court shows a marked increase of 65 Suits over the file of 1881 : but 64 of these had originally been parts of a single Suit which was subsequently split and separately registered as so many Suits under Section 45 of the Code of Civil Procedure. In South Canara, there has been an increase by 14, and in Madura (East), by 17, but taking together the two Subordinate Judge's Courts in the latter District, there has been a decrease of 6 Suits. The Subordinate Judge's Court in South Arcot had the lightest file of Ordinary Suits.

374. In Small Causes, there has been an increase in Negapatam and Kumbhakonam ; the heavy and apparently increasing file of the former Court is attributed by the Subordinate Judge to the increase of commercial transactions in recent years. Madura, North Malabar and Tinnevelly have been gradually falling off from 1879. The low file of Small Causes in the Tinnevelly Subordinate Judge's Court is due to the non-investiture of the Court with Small Cause powers over Srivilliputtur and Ottapidaram Taluqs, adverted to in para 317, *supra*.

Summary suits.

375. As in last year, the largest number, viz., 36 out of 50, of Summary Suits under Chapter XXXIX of the Civil Procedure Code, was instituted in the Bellary Subordinate Judge's Court. The remaining 14 Suits were distributed among the Subordinate Judges' Courts of Mangalore, Cocanada, Tellicherry, Calicut, Ootacamund and Tinnevelly.

SUITS.

Institutions of 1882 classified according to subject-matter.

376. The following is a classification, according to subject-matter, of the Ordinary Suits and Small Causes instituted in all the Subordinate Judges' Courts.

			Ordinary Suits.		*Small Causes.*	
			Number.	Percentage.	Number.	Percentage.
Suits for money or moveable property.	On Contract.	In writing ...	177	22·38	7,411	65·70
		Not in writing	29	3·67	710	6·29
	Rent		13	1·64	703	6·23
	Moveable property or its value.		8	1·01	320	2·84
	Damages		21	2·66	106	0·94
	Other Suits		56	7·08	2,030	18·00
Title and other Suits.	Relating to real property ...		365	46·14	...	
	Other Suits		122	15·42	...	
	Total...		791	100·00	11,280	100·00

377. Here again, real property Suits form about one-half of the total in Ordinary Suits; the small proportion given last year being due to the error in classification already noticed (para. 173). Suits on contract bear the next highest ratio to the total, being nearly one-fourth in Ordinary Suits and over 65 per cent. in Small Causes.

Institutions of 1882 classified according to Districts and subject-matter.

378. The following table distributes these Suits according to Districts and also according to subject-matter.

District.	Suits for money or moveable property.		Title and other Suits.	Total.
	Ordinary.	Small Causes.		
Arcot South (*Cuddalore*)	2	982	8	992
Bellary	39	459	10	508
Canara, South (*Mangalore*)	19	...	28	47
Coimbatore (*Ootacamund*)	75	321	41	437
Godavari (*Cocanada*)	12	929	18	959
Madura *East*	35	667	25	727
Madura *West*	5	706	20	731
Malabar, (North) (*Tellicherry*)	13	1,475	29	1,517
Malabar, South *Calicut*	29	343	32	404
Malabar, South *Cochin*	13	405	47	465
Tanjore, North (*Negapatam*)	23	1,950	59	2,032
Tanjore, South *Tanjore*	10	838	88	936
Tanjore, South *Kumbhakonam*.	5	1,100	15	1,120
Tinnevelly	10	760	32	802
Vizagapatam	14	345	35	394
Total ...	304	11,280	487	12,071

Aggregate and average value.

379. The value of 9 Ordinary Suits could not be estimated in money; the total value of the remaining 782 Suits was Rs. 45,73,238, giving an average of Rs. 5,848 per Suit against Rs. 15,469 in 1881. One Small Cause Suit is stated not to admit of a money value; and the total value of the remaining 11,279 Small Causes is Rs. 15,96,821, giving an average of Rs. 141 per suit, against Rs. 144 in 1881.

SUITS.

Institutions of 1882 classified according to value.

380. Below is a classification of these suits according to value :—

Grade of Value.	Ordinary Suits.		Small Causes.	
	Number.	Percentage.	Number.	Percentage.
Not exceeding Rs. 10	43	5·44	76	·67
Above Rs. 10 and not exceeding Rs. 50	32	4·04	231	2·05
,, ,, 50 ,, ,, 100	38	4·80	4,855	43·04
,, ,, 100 ,, ,, 500	73	9·23	6,117	54·23
,, ,, 500 ,, ,, 1,000	53	6·70	...	...
,, ,, 1,000 ,, ,, 2,500	25	3·16	...	...
,, ,, 2,500 ,, ,, 5,000	331	41·85	...	...
,, ,, 5,000 ,, ,, 10,000	110	13·91	...	...
,, ,, 10,000 ,, ,, 1,00,000	74	9·35	...	...
Exceeding Rs. 1,00,000	3	·38	...	...
Not estimable in money	9	1·14	1	0·01
Total...	791	100·00	11,280	100·00

381. 42 per cent. of the Ordinary Suits were between 2,500 and 5,000 Rupees in value. There were only 3 Suits, exceeding one lac of Rupees, of which the highest in value was one of 4½ lacs of Rupees, against 8 in 1881, and the value of one of these latter, which had been filed in the Subordinate Judge's Court of Madura (East) was over 37 lacs of Rupees. This sufficiently accounts for the considerable fall in the average value per Ordinary Suit in 1882. In Small Causes, the number between 100 and 500 Rupees in value bears the proportion of 54 per cent to the total. The one Small Cause Suit shown as "not estimable in money" was received on the file of the Subordinate Judge's Court of Bellary, and the Sub-Judge states that it was filed on a ten-rupee stamp and prayed for the cancellation of a sale of certain moveable property held in execution of a Small Cause Decree, and for the recovery of such property. This was a Suit clearly not entertainable by Small Cause Court and ought to have been laid before the Bellary District Munsif.

382. It will be seen from the above table that 264 of the Ordinary Suits brought before these Courts did not exceed Rupees 2,500 in value—a District Munsif's jurisdiction. Of this number, 45 were Summary Suits on negotiable instruments, which District Munsifs had not been invested with power to try in 1882. 66 Suits were received in the Subordinate Judge's Court at Tanjore, of which 2 had been registered under Section 331 of the Code of Civil Procedure, and the remaining 64 are the Suits into which, as explained in para. 373 above, a single Suit had been split. One Suit of 1,000 Rs.' value was unaccountably admitted on the file of the Calicut Subordinate Judge's Court. The remaining 152 were Suits instituted in the Subordinate Judges' Courts at Cochin and Ootacamund and arose from those parts of their respective local jurisdictions in which no District Munsif's Court has been established. This last explanation accounts also for the 307 Small Causes shown in the above table as not exceeding Rs. 50 in value.

Disposals.

II.—DISPOSALS.

383. Including 11 Ordinary Suits and 7 Small Causes received by remand and 20 Ordinary Suits and 193 Small Causes re-admitted, the admissions during the year on the files of these Courts numbered 822 Ordinary Suits and 11,480 Small Causes.

384. Including 316 Ordinary Suits and 1,466 Small Causes pending at the close of 1881, and excluding transfers, the net totals for disposal were 1,283 Ordinary Suits and 13,010 Small Causes. Of these, 964 Ordinary Suits and 11,611 Small Causes were disposed of, leaving 319 Ordinary Suits and 1,399 Small Causes pending at the close of the year.

SUITS.

385. The variations from year to year in the work for disposal, disposed of and in arrear, for the years, 1874 to 1882, in these Courts, will appear from the following statement :— Work of 1882 compared with the previous ten years.

Year.	Number of Subordinate Judges.	Ordinary Suits.					Small Causes.				
		Number for disposal.	Number disposed of.	Number in arrear.	Percentage of arrears to total for disposal.	Average number disposed of per Court.	Number for disposal.	Number disposed of.	Number in arrear.	Percentage of arrears to total for disposal.	Average number disposed of per Court.
1874	15	1,132	621	511	45·14	41	8,719	8,293	426	4·89	553
1875	13	1,102	672	430	39·02	52	7,197	6,406	791	10·99	493
1876	15	1,088	786	302	27·76	52	8,222	7,516	706	8·59	501
1877	14	769	510	259	33·68	36	7,014	6,218	796	11·35	444
1878	13	1,021	727	294	28·80	56	8,425	7,329	1,096	130·9	564
1879	13¾	1,137	775	362	31·84	56	13,880	12,320	1,560	11·24	896
1880	13	1,365	1,025	340	24·91	79	13,198	12,115	1,083	8·21	932
1881	13⅕	1,223	907	316	25.84	69	12,373	10,907	1,466	11·77	826
Average ...	13¾	1,104	753	352	31·84	55	9,878	8,888	990	10·03	646
Compare 1882.	14 1/15	1,283	964	319	24·86	66	13,010	11,611	1,399	10·75	790

386. The number of Ordinary Suits disposed of per Court in 1882, though fewer than in 1880 and 1881, is considerably in excess of the average. The percentage of arrears to disposals is also lower than in any of the preceding eight years. The average number of Small Causes disposed of falls short of the disposals of the three preceding years. The proportion of arrears, viz., 10·75, is very near the average of the nine years dealt with, and shows a reduction of only one per cent. on the figures for 1881.

387. The general result of the Suits disposed of is indicated by the following figures :— Mode of disposal.

Disposed of.		Ordinary Suits.			Small Causes.		
		Number.	Percentage.		Number.	Percentage.	
Without trial		91	100·00	9·44	898	100·00	7·73
Without contest	Compromised	112	32·74	35·48	2,702	35·98	64·67
	Decreed on confession...	86	25·15		1,194	15·90	
	Decreed *ex parte* ...	141	41·23		3,532	47·04	
	Dismissed *ex parte* ...	3	·88		81	1·08	
	Total...	342	100·00		7,509	100·00	
With contest ...	Decreed for plaintiff in whole or in part ...	331	62·34	55·08	2,383	74·37	27·60
	Decreed for defendant...	191	35·97		740	23·10	
	By arbitration ... · ...	9	1·69		81	2·53	
	Total...	531	100·00		3,204	100·00	
Grand Total...		964	100·00		11,611	100·00	

SUITS.

Mode of disposal.

388. The results exhibited by this table differ slightly from those in last year. 55 per cent, as compared with 57 in 1881, of Ordinary Suits were disposed of after contest. In Small Causes, the proportion of uncontested cases was the highest, viz., 64½ per cent of the total. In both descriptions of Suits, the greater portion of the contested cases were decided in favour of plaintiff, viz., 62·34 and 74·37 respectively.

Disposals compared in detail with the previous ten years.

389. The following table compares these results with those of the preceding eight years.

	Ordinary Suits disposed of.							Small Causes disposed of.						
						Percentage.							Percentage.	
	Without trial.	Without contest.	After contest.	For Plaintiff.	For Defendant.	Of Col. 4 to total.	Of Col. 6 to Col. 5.	Without trial.	Without contest.	After contest.	For Plaintiff.	For Defendant.	Of Col. 11 to total.	Of Col. 13 to Col. 12.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1874	75	181	365	356	112	58·78	31·46	733	5,131	2,429	4,786	911	29·29	19·03
1875	82	201	389	342	149	57·39	13·57	325	3,906	2,175	4,109	658	33·95	16·01
1876	120	203	463	394	175	58·90	44·30	385	4,493	2,638	4,659	752	35·10	16·12
1877	60	121	329	256	114	64·51	44·53	291	3,588	2,339	3,767	655	37·62	17·39
1878	53	275	399	452	120	54·88	26·55	311	4,495	2,523	4,532	668	34·42	14·74
1879	49	262	464	455	173	59·87	38·02	787	7,616	3,917	7,857	865	31·79	11·01
1880	106	333	586	590	192	57·17	32·54	701	7,607	3,807	7,667	928	31·42	12·10
1881	94	297	516	514	165	56·39	32·10	785	7,005	3,117	6,765	840	28·58	12·42
Average.	80	234	439	420	150	58.29	35·72	539	5,480	2,868	5,518	784	32·27	14·22
Compare 1882...	91	342	531	558	194	55·08	4.76	898	7,509	3,204	7,109	821	27·59	11·55

Files, disposals and contested cases compared

390. The proportion of disposals to the total file and the proportion of contested cases to total disposal, in each District, will be seen in the following statement.

Sub-Courts.	Ordinary Suits.				Small Causes.			
	Total on the file.	Total disposed of.	Total disposed of after contest.	Percentage of Col. 4 to Col. 3.	Total on the file.	Total disposed of.	Total disposed of after contest.	Percentage of Col. 8 to Col. 7.
1	2	3	4	5	6	7	8	9
Arcot (S.) (*Cuddalore.*) ...	62	97	60	61·85	1,004	1,004	250	24·90
Bellary ...	51	58	10	17·24	471	468	94	20·08
Canara (S.) (*Mangalore*) ...	55	45	14	31·11	...	...	...	...
Coimbatore (*Ootacamund*)...	182	137	69	50·36	388	348	81	23·27
Godavari *Cocanada*) ...	33	30	19	63·33	939	970	276	28·45
Madura (*East*) ...	59	54	26	48·14	677	717	197	27·47
Madura (*West*) ...	33	17	9	52·94	727	634	154	24·29
Malabar (N.) (*Tellicherry*)...	48	37	25	67·56	1,506	1,653	598	36·17
Malabar (South) *Calicut* ...	66	62	35	56·45	348	327	83	25·38
Malabar (South) *Cochin* ...	61	56	11	19·64	409	401	74	18·45
Tanjore (N.) (*Negapatam*)...	89	105	58	55·23	1,984	1,922	507	26·37
Tanjore (South) *Tanjore* ...	101	104	78	75·00	852	832	254	30·52
Tanjore (South) *Kumbhakonam*...	36	44	21	47·72	1,130	1,066	244	22·88
Tinnevelly ...	39	46	27	58·69	770	718	218	30·37
Vizagapatam ...	52	72	60	83·33	339	551	174	31·57
Total...	967	964	522	54·10	11,544	11,611	3,204	27·59

SUITS.

391. The Subordinate Judge of South Arcot disposed of half as many more Ordinary Suits as were received in his Court during the year, the extra work consisting of a heavy pending file from last year: the work left undisposed of in his Court at the close of 1882 is thus reduced to a minimum. The Subordinate Judges of Negapatam and Vizagapatam have disposed of 16 and 20 Suits respectively more than the numbers filed, the bulk of the excess work in these two Courts consisting of old Suits. In Bellary, Tanjore and Tinnevelly, the disposals have slightly exceeded the files; in Cocanada and Calicut, the disposals almost equal the institutions, while in Mangalore, Madura (East and West), Tellicherry and Cochin, the former fall short of the latter.

Files, disposals and contested cases compared.

392. In Small Causes, the Subordinate Judges of Tellicherry and Vizagapatam have disposed of 147 and 212 Suits respectively more than the numbers filed. In Ootacamund, Cocanada and Madura (East), the disposals slightly exceeded the numbers filed during the year, and in the remaining Courts, they were more or less nearly equal.

393. In Ordinary Suits, the average duration of the cases disposed of after contest was 193 days, and that of the cases decided without contest was 102 days. In Small Causes, the average durations of contested and uncontested cases were 65 and 41 days respectively. These figures, when compared with those of 1881 (para. 341 of the Report), show an increased duration in the pendency of Suits before these Courts.

Average duration.

III.—ARREARS.

Arrears.

394. At the close of 1882, there were 319 Ordinary Suits and 1,399 Small Causes pending on the files of these Courts as follows:—

	Ordinary Suits.	Small Causes.
Pending return of Summons	64 ...	576
,, ,, Commission	7 ...	8
,, Settlement of issues	63 ...	0
,, Award of arbitrators	6 ...	30
,, Final disposal	176 ...	783
,, Judgment or decree.	3 ...	2
	319	1,399

395. Of these, 160 Ordinary Suits and 141 Small Causes were more than three months old and include 29 Ordinary Suits and 4 Small Causes pending over twelve months. Excluding from these figures the 45 Ordinary Suits and 40 Small Causes pending in the newly-constituted Subordinate Judge's Court of Nilgiris, the arrears of over three months at the close of 1882 are reduced to 115 Ordinary Suits and 101 Small Causes, against 149 and 82 respectively at the end of 1881. For the reason stated in para. 289 of the last year's report, those figures do not admit of comparison with the state of the pending files prior to 1881.

Arrears of over twelve months compared with the past eight years.

396. The following table compares the numbers of Ordinary Suits and Small Causes pending over 12 months at the end of 1882 with the corresponding numbers for the preceding eight years.

Year.	Ordinary suits.	Small Causes.
1874	44	0
1875	119	0
1876	34	0
1877	39	1
1878	10	1
1879	19	5
1880	23	6
1881	19	1
Total...	307	14
Average...	38	2
Compare 1882...	29	4

Causes of Pendency.

397. The number of Ordinary Suits pending for more than a year at the end of 1882 was greater than in any of the four previous years, but was nearly 24 per cent. less than the average. 17 of these old Suits were pending in the Subordinate Judge's

SUITS.

Cause of pendency.

Court at Bellary, and it is explained that 11 of them, being connected cases, were standing over by reason of some of the witnesses having to come from the Mysore Province and of the promises of the parties to effect a compromise, that three other connected cases were ready for judgment and that the rest (3 in number) were adjourned at the request of parties. The remaining 12 Ordinary Suits and 4 Small Causes were distributed among the Subordinate Judges' Courts of Cocanada, Kumbhakonam, Madura (East and West), Negapatam, Ootacamund and Tellicherry.

Courts with the oldest pending suits.

398. The oldest pending Suits were in Bellary (Ordinary) 926 days, Negapatam (Ordinary) 465 days, and (Small Causes) 447 days, Kumbhakonam (Ordinary) 439 and (Small Causes) 466 days, Cocanada (Ordinary) 429 and (Small Causes) 322 days, and Tellicherry (Ordinary) 417 days.

Unregistered plaints.

IV.—UNREGISTERED PLAINTS.

399. During the year under review, 13 Plaints in Ordinary Suits and 81 in Small Causes were rejected or returned before registration. There were no plaints in Ordinary Suits pending registration at the close of the year; but in Small Causes, there were 26, the oldest of which remained unregistered at the end of the year for 10 days in the Subordinate Judge's Court at Calicut.

EXECUTIONS.

B.—EXECUTIONS.

Institutions

400. 13,260 applications for execution were received in these Courts in 1882, as compared with 12,484 in 1881. Including 1,545 pending at the beginning of the year, 311 received by transfer from other Courts, 6 by remand and 42 re-admitted, the total number for disposal was 15,164.

Disposals.

401. Deducting 801 transferred to other Courts for execution, the net total for disposal was 14,363. Of these, 12,774 were disposed of, 4,274 being withdrawn or otherwise not prosecuted or rejected or dismissed, and the proceedings being finally closed in 8,500 cases as shown below :—

Decrees how satisfied.

Number of cases in which satisfaction was obtained through Court in whole or in part	2,729
,, adjusted out of Court	716
,, in which execution was wholly infructuous ...	5,055
	8,500

402. In 2,556 out of the said 2,729 cases in which satisfaction was obtained through the Court, process had to be issued.

Decrees how executed.

403. Of the 8,500 cases in which proceedings were finally closed, no process had been issued in 393 cases. Of the remaining 8,107 cases, judgment-debtors were arrested but released in 875, and moveable or immoveable property was attached but released in 261; and the remaining 6,971 cases are distributed below according to the manner in which execution was effected :—

Number of cases in which judgment-debtor was imprisoned	175
,, ,, moveable property was transferred or sold	369
,, ,, immoveable do. do.	412
,, ,, immoveable property was otherwise dealt with... ...	10
,, ,, specific performance was enforced	3
,, ,, execution was otherwise effected	6,002
Total...	6,971

Average detention of judgment-debtors in Jail.

404. In the 175 cases first above-mentioned, 161 judgment-debtors were imprisoned, 4 of them for judgment-debts not exceeding 50 Rupees, and 157 for debts exceeding that sum. The average period for which the former were detained in jail was 13 days, and the latter, 43 days.

Amount realized.

405. Rupees 7,16,856 were realized on account of suitors after issue of process, and Rupees 57,168 were monies voluntarily paid into Court, the total being Rupees 7,74,024.

Average duration.

406. The average duration of an application for execution disposed of was 49 days.

EXECUTIONS.

Arrears and cause of pendency.

407. 1,589 applications were awaiting disposal at the end of 1882, and of these, 46 were pending for more than a year. 17 of these old applications were pending in the Subordinate Judge's Court of Bellary, as many as 14 of the number having relation to decrees of which satisfaction was being obtained by monthly payments from salaries, or awaiting realization of the full amount of the decree for rateable distribution. There were 14 in the Subordinate Judge's Court of Madura (West), 5 awaiting rateable distribution of monies collected, 3 awaiting withdrawal of an order of the High Court staying execution and 5 being adjourned either at request of parties or for the disposal of other matters connected therewith. The remaining 15 old applications were distributed among the Subordinate Judges' Courts of Calicut, Cocanada, Madura (East), Tanjore, Tellicherry and Tinnevelly.

Unregistered applications.

408. 123 applications were rejected or returned before registration, and 117 awaited registration at the end of the year, the oldest having been pending in the Tinnevelly Subordinate Judge's Court for 47 days.

C.—INSOLVENCY.

INSOLVENCY.

Institutions, disposals, &c.,

409. 104 applications for declarations of Insolvency were received in 1882. 95 of these were from judgment-debtors under arrest or imprisonment and 9 from those not so. The largest number (30) was, as in last year, filed in the Subordinate Judge's Court at Tellicherry. Adding to these the 28* applications pending from 1881 and excluding transfers, the net total for disposal was 134. Of this number, 117 were disposed of, 49 applications being withdrawn or otherwise not prosecuted, and 43, including 6 cases in which receivers were appointed, being granted. The remaining 25 were rejected, sentence of imprisonment under Section 359 of the Civil Procedure Code being passed in two cases only.

Average duration.

410. The average duration of the applications disposed of was 100 days.

Arrears.

411. At the end of the year, 17 applications remained to be disposed of, the oldest having been pending in the Kumbhakonam Subordinate Judge's Court for 187 days.

Estates in Receivers' hands and amount realized and disbursed.

412. 5 Estates were placed in charge of Receivers during the year, as many as 4 out of them being in the Ootacamund Court. At the close of 1881, 7 Estates remained in the hands of Receivers, and one was transferred to the Octacamund Subordinate Judge's Court from the Judicial Commissioner's Court which had been abolished. Thus, there were, in all, 13 cases, exactly the same number as in 1881, in the hands of Receivers. In 5 of these, proceedings were finally closed during the year. The amount realized during the year was Rupees 16,341 which, with Rupees 417 remaining unpaid at the beginning of the year and Rupees 4,531 in hand in connection with cases transferred from the late Judicial Commissioner's Court, Nilgiris, amounted to Rupees 21,289. Of this sum, Rupees 9,797 were disbursed, the balance, Rupees 11,492, being left in the hands of Receivers. These figures contrast favourably with those of 1881, in which year the total sum realized by the Receivers appointed by Subordinate Judges amounted to only Rupees 747.

Unregistered applications.

413. One application was rejected or returned before registration, and one was pending registration at the close of the year.

* The difference between this and the figures in para. 359 of the last year's report is owing to an error in the returns of the Tinnevelly District, which has been corrected this year.

MISCELLANEOUS CASES.

D.—MISCELLANEOUS CASES.

Institutions.

414. 18,272 applications, other than for execution of decrees and for declaration of insolvency, were received during the year, the largest number (3,160) filed being, as in last year, in the Court of the Subordinate Judge at Negapatam, who states that these very numerous applications are owing, to a great extent, to the large numbers of Suits filed, and adds that, being a Railway Station and sea-port town, and also close to the French territory of Karikal, Negapatam affords special facilities to embarrassed debtors for getting out of the British territory or suddenly leaving the town by rail or sea, to evade the ordinary course of law, thus necessitating more frequent applications than elsewhere for the special remedies provided by the Code, such as arrests and attachments before judgment. The smallest number was that filed in the Ootacamund Court (246).

Disposals.

415. Including 478 applications pending at the beginning of the year, 1 received by remand and 16 re-admitted, and excluding transfers, the net total for disposal was 18,803. Of these, 18,329 were disposed of as shown below.

Mode of disposal.

Without trial		770
Without contest	Compromised	166
	Ordered on confession	1,398
	„ *ex parte*	12,367
	Dismissed *ex parte*	884
With contest	Decided for petitioner	1,521
	„ for counter-petitioner	1,222
	By arbitration	1
	Total	18,329

Average duration.

416. The average duration of the contested applications disposed of is 39 days.

Arrears.

417. 474 applications were left undisposed of at the close of the year as follows :—

Pending return of notice	105
„ final disposal	368
„ judgment or order	1
	474

418. 11 of these applications were more than a year old, the oldest of them being pending in the Kumbhakonam Subordinate Judge's Court for 500 days.

Unregistered applications.

419. 24 applications were rejected or returned before registration. At the close of the year, there were 45 applications to be registered, the oldest having been presented to the Tinnevelly Subordinate Judge's Court 21 days before the close of the year.

VI.—District Courts.

SUITS.

A.—SUITS.

I.—INSTITUTIONS.

Institutions.

420. 283 Ordinary Suits were instituted in these Courts in 1882. Of these, 46 were Summary Suits in respect of Negotiable Instruments under Chapter XXXIX of the Code of Civil Procedure.

1882 compared with the previous ten years.

421. The following figures* show the variations from year to year in the number of Suits in District Courts for the 10 years, 1872 to 1881.

1872	...	...	535
1873	...	...	290
1874	...	...	230
1875	...	...	270
1876	...	...	283
1877	...	...	224
1878	...	...	186
1879	...	...	262
1880	...	...	356
1881	...	...	316
Total for eight years...			2,127
Average...			266
Compare 1882...			283

422. 1882 has fallen off from 1881 by 33 and from 1880 by 73 Suits, but shows an increase of 17 Suits upon the average of the last eight years.

Five years* institutions distributed by Districts distinguishing those having a Subordinate Judges' Court from those in which there is none.

423. The following is a comparative statement showing the distribution, by Districts, of Ordinary Suits in these Courts for the 5 years, 1878 to 1882, distinguishing those aided by one or more Subordinate Judges' Courts from those not so aided.

Districts in which the District Courts are not assisted by Subordinate Judges' Courts.	1878.	1879.	1880.	1881.	1882.
Arcot (North.)	22	23	19	25	24
Chingleput	21	21	28	21	16
Cuddapah	13	20	19	12	19
Ganjam	11	20	17	15	18
Kistna	11	39	82	62	37
Kurnool	12	14	7	4	11
Nellore	17	21	14	19	30
Salem	...	8	24	33	13
Trichinopoly	12	13	20	13	38
Total...	119	179	231	204	206
Average per District...	15	20	25	23	23
Districts in which the District Courts are assisted by one or more Subordinate Judges' Courts.					
Arcot (South.)	1	...	1	4	...
Bellary	7	1	3	6	4
Canara (South)	1	2	7	1	...
Coimbatore...	17	18	20	14	16
Godavari	20	26	37	35	39
Madura	...	...	...	4	2
Malabar (North.)	...	1	1	3	1
Malabar (South.)	3	8	1	1	1
Tanjore (North.)	3	2	11	2	8
Tanjore (South.)	...	1	3	2	1
Tinnevelly...	1	...	1	4	2
Vizagapatam	14	24	41	36	3
Total...	67	83	126	112	77
Average per District...	7	9	11	9	8
Grand Total...	186	262	356	316	283
Average per District...	11	15	18	15	15

* As these figures do not include the institutions in the Courts of Agents and the Judicial Commissioner, they do not agree with those in para. 369 of the report for 1881.

SUITS.

Institutions of 1882 classified according to subject-matter.

424. Below is a classification, according to subject-matter, of the Ordinary Suits instituted in these Courts, showing the proportion the number in each class bears to the total.

			Ordinary Suits. Number.	Percentage.
Suits for money or moveable property	On contract.	in writing	88	31·09
		not in writing	3	1·07
	Rent		...	...
	Moveable property or its value		1	0·35
	Damages		3	1·07
	Other Suits		13	4·59
Title and other Suits	Relating to immoveable property		86	30·39
	Other Suits		89	31·44
		Total	283	100·00

425. Nearly 62 per cent. of the Suits instituted were "Title and other Suits", and of these, 86 or over 30¾ per cent. of the total, related to immoveable property.

The same distributed according to Districts and subject-matter.

426. The following table distributes these Suits according to Districts and also according to subject-matter.

Districts.	Suits for money or moveable property.	Title and other Suits.	Total.
Arcot (North.)	11	13	24
Do. (South.)	...	...	...
Bellary	2	2	4
Canara (South.)	...	...	...
Chingleput	1	15	16
Coimbatore	4	12	16
Cuddapah	11	8	19
Ganjam	4	14	18
Godavari	12	27	39
Kistna	23	14	37
Kurnool	4	7	11
Madura	...	2	2
Malabar (North.)	...	1	1
Do. (South.)	...	1	1
Nellore	9	21	30
Salem	7	6	13
Tanjore (North.)	...	8	8
Do. (South.)	...	1	1
Tinnevelly	...	2	2
Trichinopoly	19	19	38
Vizagapatam	1	2	3
Total...	108	175	283

427. The largest numbers (27 and 21) of "Title and other Suits" were filed in Godavari and Nellore against 12 and 9 for money or moveable property. The numbers in the two classes of Suits were exactly equal in Trichinopoly and were nearly so in North Arcot and Salem. In Chingleput, Coimbatore and Ganjam, money suits were very few, the file consisting mainly of Title and other Suits.

Aggregate and average value.

428. The value of 27 Suits could not be estimated in money, and the total value of the remaining 256 Suits is Rupees 26,40,003 giving an average of Rupees 10,312 per Suit as against Rupees 20,424 last year. This diminution in the average value is due to the fewer number of Suits of between 10,000 Rs. and one lac of Rs. in value (30 against 54 in 1881) and to the very large value (over 31 lacs of Rupees) of a Suit filed in 1881 in the Vizagapatam District Court, while the highest value of any Suit instituted in 1882 was only 6½ lacs of Rupees.

429. Below is a distribution of these Suits according to value. SUITS.

Institutions of 1882 classified according to value.

Grade of value.	Ordinary Suits.	
	Number.	Percentage.
Not exceeding 10 Rupees	...	...
Above 10 Rupees and not exceeding 50 Rupees.	10	3·18
„ 50 „ 100 „	19	6·71
„ 100 „ 500 „	30	10·96
„ 500 „ 1,000 „	11	3·89
„ 1,000 „ 2,500 „	6	2·12
„ 2,500 „ 5,000 „	106	37·46
„ 5,000 „ 10,000 „	40	14·13
„ 10,000 „ 1,00,000 „	30	10·60
Exceeding 1,00,000 Rupees.	4	1·41
Not estimable in money.	27	9·54
Total ...	283	100·00

430. 41 Suits, of which 30 did not exceed 2,500 Rupees in value, were Suits under special enactments giving exclusive jurisdiction to District Courts; and 46, all of which were under Rupees 2,500 in value, were Summary Suits on Negotiable Instruments under Chapter XXXIX of the Code of Civil Procedure, instituted in District Courts in the absence either of a Subordinate Judge's Court or other Court having local Jurisdiction.

II.—DISPOSALS.

Disposals.

431. Including 13 received by remand and 9 re-admitted, the Ordinary Suits received on the files of these Courts during the year were 305.

432. There was also one Small Cause case called up for disposal by the District Court of Tinnevelly.

433. Adding to these the 186 Ordinary Suits pending at the end of 1881 and excluding transfers, the total for disposal during the year was 517 Ordinary Suits and one Small Cause. Of these numbers, 307 Ordinary Suits and 1 Small Cause Suit were disposed of, leaving 210 Ordinary Suits pending at the close of the year.

434. The following table shows the variations from year to year in the work for disposal, disposed of and pending in the District Courts for the eight years, 1874 to 1881.

Work of 1882 compared with the previous eight years.

Year.	Number of District Judges.	Number for disposal.	Number disposed of.	Number in arrear.	Percentage of arrears to total for disposal.	Average number disposed of per Court.
1874	21	511	281	230	45·09	13
1875	21	558	354	204	36·56	17
1876	20½	524	347	177	33·78	17
1877	20	459	305	154	33·55	15
1878	21	363	203	160	44·07	10
1879	21	443	276	167	38·69	13
1880	21	548	332	216	39·41	16
1881	21	522	336	186	35·63	16
Average for eight years	20⅜	491	304	187	38·03	14
Compare 1882 ...	21	518	308	210	40.54	15

435. In 1882, the number of Suits for disposal was a little over the average, but less than in 1881 and 1880. The total disposed of was about the average, but the

SUITS.

number left undisposed of at the close of the year exceeded the average and the figures for 1881.

Mode of disposal.

436. Below is a classification of the result of these Suits :—

Disposed of.		Number.	Percentage.	
Without trial.		37	100·00	12·01
Without contest ...	Compromised	47	43·93	
	Decreed on confession	11	10·28	
	Decreed *ex parte*.	49	45·79	
	Dismissed *ex parte*.	...	...	34·74
	Total...	107	100·00	
With contest. ...	Decreed for plaintiff in whole or in part.	92	56·10	
	Decreed for defendant	68*	41 46	
	By arbitration	4	2·44	53 25
	Total...	164	100·00	
	Grand Total...	308		100·00

437. 53¼ per cent. of the Suits were decided after contest. But of these, the number decided for defendant fell by 26 per cent. below that for plaintiff, while, in 1881, it exceeded the latter by 22 per cent. (See para. 386 of Report for 1881).

Disposals of 1882 compared in detail with the previous eight years.

438. The following table compares these results with those of the preceding eight years.

Year.	Suits disposed of.					Percentage.	
	Without trial.	Without contest.	After contest.	For plaintiff.	For defendant.	Of Col. 4 to total.	Of Col. 6 to Col. 5.
1	2	3	4	5	6	7	8
1874	21	105	155	132	67	55·16	50·76
1875	23	156	175	189	77	49·43	40·74
1876	27	118	202	175	85	58·21	48·57
1877	20	115	170	155	75	55·74	48·39
1878	16	74	113	99	42	55·67	42·42
1879	32	87	157	129	68	56 68	52·71
1880	30	125	177	167	92	53·31	55·09
1881	42	124	170	145	94	50·60	64·83
Total..	211	904	1,319	1,191	600	54·45	50·38
Average...	26	113	165	149	75	54·45	50·38
Compare 1882...	37	107	164	152	68	53 25	44·74

439. The results in 1882, as shown by this table, do not materially vary from those in the two previous years or from the average results of the past eight years. There has however been a perceptible increase in 1882 in the proportion of cases decided in favour of plaintiff.

* Includes the one Small Cause disposed of by the Tinnevelly District Court.

SUITS.

Files, disposals and contested cases compared.

440. The proportion of disposals to the total file and the proportion of contested cases to total disposals, in each District, will be seen in the following statement.

Districts.	Total filed.	Total disposed of.	Total disposed of after contest.	Percentage of Col. 4 to Col. 3.
1	2	3	4	5
Arcot (North)	25	23	9	43·48
Arcot (South)	1		1	100·00
Bellary	6	4	1	25·00
Canara (South)	...	2	1	50·00
Chingleput	19	17	10	53·82
Coimbatore	22	25	15	60·00
Cuddapah	22	15	8	53·33
Ganjam	19	23	11	47·83
Godavari	42	26	12	46·15
Kistna	39	55	23	41·82
Kurnool	12	10	4	40·00
Madura	4	4	4	100·00
Malabar (North)	2	4	4	100·00
Malabar (South)	1	1	1	100·00
Nellore	30	13	8	61·54
Salem	22	37	27	72·97
Tanjore (North)	8	5	4	80·00
Tanjore (South)	5	3	3	100·00
Tinnevelly	9	6	5	83·33
Trichinopoly	39	33	12	36·36
Vizagapatam	4	1	1	100·00
Total...	331	308	164	53·25

Average duration.

441. The average duration of cases disposed of after contest was 268 days, and that of cases decided without contest, 131 days. The duration of contested cases in 1882 contrasts favorably with that in 1881.

SUITS.

III.—ARREARS.

Arrears.

442. At the end of 1882, there were 210 Suits awaiting disposal as follows :—

Pending return of Summons	...	...	43
,, ,, Commission	...	...	7
,, Settlement of issues	...	...	38
,, Arbitrators' award	...	...	6
,, Final disposal	..	...	109
,, Judgment or decree	...	...	7
			210

443. Of this number, 43 were pending for upwards of a year and 83 (against 71 in 1881) were pending for periods intermediate between 3 months and a year. As already explained, materials are not available for comparing the number of Suits of the latter class of pendency with the corresponding figures for years previous to 1881.

Arrears of over twelve months compared with the previous eight years.

444. The following table compares the number of Suits pending over 12 months at the close of 1882 with those for the preceding eight years, 1874 to 1881.

1874	...	...	71
1875	...	...	58
1876	...	...	43
1877	...	...	34
1878	...	...	39
1879	...	...	30
1880	...	...	38
1881	...	...	29
Total ...			342
Average ...			43
Compare 1882 ...			43

Old Suits & cause of pendency.

445. The number of Suits pending over a year is equal to the average of the period dealt with, but is considerably in excess of the numbers for the last five years. Of these old Suits, 15 or nearly one-third of the total number were pending in the District Court of Godavari, 3 being in the hands of Commissioners, and 2 in those of arbitrators : 5 were adjourned at request of parties for examination of witnesses in other Districts and Presidencies, in 2 the parties wanted time to apply to the High Court for a transfer to another Court, and 3 were pending for other causes. There were 10 old Suits in the Nellore Court, 2 of which were before arbitrators and one was pending the decision of an appeal in the High Court, while, the other 7 cases had very nearly reached the final stage. The long pendency of Suits in these two Districts (Godavari and Nellore) is attributed to frequent changes of District Judges during the last two years.

446. Of the 6 old Suits in the Kistna District, one awaited the return to a Commission issued to the Presidency Court of Small Causes, and one, the return of records from the High Court, and the remaining 4 were ready for judgments which have since been delivered. The remaining Suits (12) were in the District Courts of North Arcot, Bellary, Chingleput, Cuddapah, Ganjam, Salem and Tinnevelly.

Courts with the oldest pending Suits.

447. The oldest undisposed of Suits were as follows :—

Nellore (1,104 days),	Cuddapah (702 days),
Godavari (810 days),	Ganjam (618 days) and
Kistna (783 days),	Arcot, North (551 days).
Bellary (768 days),	

IV.—UNREGISTERED PLAINTS.

Unregistered plaints.

448. 9 plaints were rejected or returned before registration, and only one was left unregistered at the close of the year.

EXECUTIONS.

B.—EXECUTIONS.

Institutions.

449. 607 applications for execution were received in these Courts in 1882 as compared with 541 in 1881. Including 199 pending at the beginning of the year, 234 received by transfer from other Courts and 3 by remand and 7 re-admitted, the total number for disposal was 1,050.

EXECUTIONS.

Disposals.

450. Deducting 51 transferred to other Courts for execution, the net total for disposal was 999. Of these, 729 were disposed of, 204 being withdrawn or otherwise not prosecuted or rejected or dismissed, and the proceedings being finally closed in 525 cases as shown below :—

Decrees how satisfied.

Number of cases in which satisfaction was obtained through Court in whole or in part	343
„ „ adjusted out of Court	50
„ „ in which execution was wholly infructuous	132
Total...	525

451. In 311 out of the above 343 cases in which satisfaction was obtained through the Court, process was issued.

452. Of the 525 cases in which proceedings were finally closed, no process had been issued in 32 cases. Of the remaining 493 cases, the judgment-debtor was arrested but released in 59, and moveable or immoveable property was attached but released in 31 ; and the remaining 403 cases are distributed below according to the manner in which execution was effected :—

Decrees how executed.

Number of cases in which judgment-debtor was imprisoned	9
„ moveable property was transferred or sold	47
„ immoveable do. do.	90
„ immoveable property was otherwise dealt with	3
„ partition was effected	2
„ execution was otherwise effected	252
Total...	403

Average detention of judgment-debtors in Jail.

453. In the 9 cases first abovementioned, 8 judgment-debtors were imprisoned for debts exceeding Rupees 50. The average period for which they were detained in jail was 58 days.

Amount realized.

454. Rupees 2,12,194 were realized on account of suitors after issue of process, and Rupees 23,794 were monies voluntarily paid into Court, the total being Rupees 2,35,988.

Average duration.

455. The average duration of an application for execution disposed of was 122 days.

Arrears and cause of pendency.

456. 270 applications were awaiting disposal at the close of 1882. 33 of these were more than a year old. The District Court of North Arcot had 9 of these old applications, time having been granted in them by consent of parties. 8 were in the Godavari Court pending disposal of claims, of original Suits touching the property in question or the receipt of money from other Courts, &c. 5 old applications in the Kistna Court are pending the disposal of certain regular Suits instituted in that Court and in other Courts. The remaining 11 applications were distributed among the District Courts of Bellary, South Canara, Coimbatore, Cuddapa, Ganjam and Tinnevelly.

Unregistered applications.

457. Four applications were left unregistered at the close of the year, two in each of the District Courts of Chingleput and Salem, their pendency in each Court being 11 days.

C.—INSOLVENCY.

INSOLVENCY.

Institutions disposals, &c.

458. 12 applications for declarations of insolvency were received in 1882 as against 18 in 1881. 11 of these were from judgment-debtors under arrest or imprisonment and one from a judgment-debtor at large. Adding to these the 9 applications pending from 1881, the total for disposal was 21 ; of this number, 18 were disposed of, 6 being withdrawn or otherwise not prosecuted, and 8, in only one of which a Receiver was appointed, being granted ; the remaining 4 were rejected, sentence of imprisonment under Section 359, Civil Procedure Code, being passed in one case.

INSOLVENCY.

Amount realized.

459. In the one case above alluded to, in which a Receiver was placed in charge of the Insolvent's estate, the estate remained in the Receiver's hands at the close of the year, the amount realized being only 9 Rupees.

Average duration.

460. The average duration of the disposed-of applications was 190 days.

Arrears.

461. Three applications were pending at the close of the year. One of these was more than a year old and was on the file of the South Canara District Court for 636 days, the parties having from time to time applied for adjournment with a view to an amicable settlement.

Unregistered applications.

462. No application was pending registration at the close of the year.

D.—MISCELLANEOUS CASES.

MISCELLANEOUS CASES.

Institutions.

463. 9,167 applications other than for Execution of Decrees and for declaration of Insolvency were received during the year, as compared with 9,731 in the preceding year, the largest number (1,637) filed being in the District Court of North Malabar, and the smallest (84) in that of Kurnool.

Disposals.

Mode of disposal.

464. Including 495 applications pending at the beginning of the year, 16 received by remand and 15 re-admitted, and excluding transfers, the total for disposal was 9,611. Of this number, 9,025 were disposed of as shown below :—

Without trial		1,131
Without contest...	Compromised	50
	Ordered on confession ...	432
	„ *ex parte*	5,272
	Dismissed *ex parte* ...	639
After contest ...	Decided for Petitioner ...	833
	Do. for Counter-petitioner.	666
	By arbitration	2
	Total ...	9,025

Average duration.

465. The average duration of the contested applications disposed of was 46 days.

Arrears.

466. 586 applications were pending at the close of the year as follows :—

Pending return of notice	190
„ final disposal	344
„ Judgment or order ...	52
	586

Cause of pendency.

467. Of these, 11 were more than a year old, 4 being in the District Court of Godavari and 4 in that of Madura. The oldest pending application was in the Bellary Court (849 days). It is stated to be connected with an application for execution of a decree, in respect of which a Commissioner had been appointed.

Unregistered applications.

468. 4 applications were rejected or returned before registration. At the close of the year, there were 24 applications to be registered, the oldest having been pending in the District Court of Tinnevelly for 11 days.

E.—CLAIMS UNDER THE LAND ACQUISTION ACT (X OF 1870).

Claims under Act X of 1870.

469. During the year, there were 5 cases referred under Section 15 of Act X of 1870 for the decision of District Judges. Of these, one was in the District of North Arcot, one in North Tanjore, two in South Tanjore, and one in Tinnevelly. All the 5 cases were disposed of, the Judge agreeing with assessors in 3, differing from one assessor in one and from both in the remaining one case.

CIVIL JUSTICE.

APPELLATE JURISDICTION.

COURTS UNDER THE HIGH COURT.

Number of Courts.

470. In 1882, there were 45 Courts vested with appellate jurisdiction. Of these, 21 were presided over by District Judges, 3 by Agents, 15 by Subordinate Judges and 6 by Assistant Agents. Excluding the Subordinate Judge's Court of Ootacamund and 3 Courts of Assistant Agents, which did no appellate work, the number of Courts actually exercising jurisdiction was 41, of which 6 were special Courts (Courts of Agents and their Assistants), and 35 were ordinary Civil Courts (Courts of District Judges and Subordinate Judges).

A—APPEALS FROM DECREES.

APPEALS FROM DECREES.

(*a*) *Special Courts.*

Special Courts. Institutions.

471. 13 Appeals were instituted in these Courts in the year 1882 as compared with 18 in 1881. The institutions in each Agency Division are shown below:—

	1881.	1882.
Ganjam (Agency)	7	1
Godavari (do)	5	5
Vizagapatam (do.)	6	7
Total...	18	13

472. Including one appeal received by remand, the number of appeals filed during the year was 14.

Comparison of ten years' files.

473. The following figures show the variations in the total number of appeals filed from year to year for the years, 1872 to 1882.

1872	1	1879	19
1873	1	1880	14
1874	3	1881	18
1875	4		
1876	2	Total...	72
1877	2	Average...	7
1878	8	Compare 1882...	14

Five years' files distributed by Districts.

474. The numbers filed in each Agency Division, during the five years, 1878 to 1882, were as follows:—

	1878.	1879.	1880.	1881.	1882.
Ganjam (Agency)	4	6	8	7	2
Godavari (do.)	...	...	...	5	5
Vizagapatam (do.)	4	13	6	6	7
	8	19	14	18	14

Subject-matter of appeals.

475. Of the 13 appeals instituted in these Courts, 3 related to Suits for money or moveables, 5 to Suits under the Rent Recovery Act, and 5 to Suits for immoveable property.

Value.

476. The total value of these appeals was Rs. 3,616, giving an average of Rs. 278 per appeal.

Distribution according to grades of value.

477. Below is a distribution of the appeals according to value:—

Not exceeding 10 Rs.	3
Above Rs. 10 and not exceeding Rs. 50 ...	4
„ 50 „ 100 ...	1
„ 100 „ 500 ...	2
„ 500 „ 1,000 ...	2
„ 1,000 „ 2,500 ...	1
	13

APPEALS FROM DECREES.

Disposals and mode of disposal.

478. Including 2 appeals pending at the end of 1881, the number for disposal was 16. Of these, 13 were disposed of, 10 without contest, and 2 after contest, or, in other words, the decrees of the Lower Courts were confirmed in 7 and reversed in 3; and 2 were remanded. The remaining one appeal was rejected after registration.

Arrears.

479. At the end of the year, there were 3 appeals pending in the Court of the Agent at Vizagapatam, the oldest of them having been on the file 197 days. One of these was awaiting a finding called for, and 2 were ready for final disposal.

Appeals from orders.

480. There were no appeals preferred to these Courts from orders of Lower Courts.

District Judges' and Sub-Judges' Courts.

(*b.*) *District Judges' and Sub-Judges' Courts.*

I.—INSTITUTIONS.

Institutions.

481. The number of appeals instituted in these Courts in 1882 was 7,290 against 6,671 in the preceding year. Of these, 103 were instituted in the Subordinate Judge's Court at Cocanada, and 7,187, in the District Courts.

Institutions of 1881 and 1882 compared by Districts.

482. The following table shows the number of appeals instituted in each District in 1881 and 1882.

District.	1881.	1882.
Arcot (North)	196	216
Arcot (South)	252	253
Bellary	179	173
Canara (South)	502	443
Chingleput	303	389
Coimbatore	199	203
Cuddapah	149	211
Ganjam	213	182
Godavari	434	565
Kistna	248	288
Kurnool	54	45
Madura	357	364
Malabar (North)...	606	502
Malabar (South)...	1,032	1,092
Nellore	166	161
Salem	235	293
Tanjore (North)...	285	218
Tanjore (South)...	423	415
Tinnevelly	297	498
Trichinopoly	226	439
Vizagapatam	315	400
Total...	6,671	7,290

483. 1882 shows an increase of 619 appeals upon the institutions of 1881. The increase is very marked in Trichinopoly, Tinnevelly and Godavari, being severally 213, 201 and 131 appeals. Vizagapatam had 85 appeals more than in 1881, and in each of the Districts of Cuddapah, South Malabar, Salem and North Tanjore, the addition to the file during the year numbered about 60 appeals. There has been in 1882 a decrease of 104 and 59 appeals in North Malabar and South Canara, respectively, as compared with the figures in 1881.

Contribution of the two classes of Courts to the file of 1882.

484. Including 87 appeals received by remand and 114 re-admitted, the aggregate number of appeals filed during the year was 7,491, which were distributed between the two classes of Appellate Courts in the following proportions :—

Class of Courts.	Number.	Percentage.
Subordinate Judges' Courts	172	2·30
District Courts	7,319	97·70
	7,491	100·00

APPEALS FROM DECREES.

485. The following figures* show the variations in the total number of appeals filed from year to year for the ten years, 1872 to 1881 :—

1872	7,002	1879	6,373
1873	6,504	1880	6,723
1874	6,895	1881	6,790
1875	7,357		
1876	6,856	Total...	67,532
1877	6,725		
1878	6,307	Average ..	6,753
		Compare 1882...	7,491

1882 compared with the previous ten years.

486. The files of 1882 show an increase of 701 appeals upon those of 1881 and an increase of 738 appeals on the average of the ten preceding years. The tendency of appellate litigation (noticed in last year's report, para. 424,) to increase up to and beyond the limits of the years preceding the famine has clearly asserted itself, and the appellate file of 1882 is the largest hitherto dealt with.

487. The following is a comparative statement, showing, by Districts, the number of appeals filed, including those remanded and re-admitted, for the five years, 1878 to 1882 :—

Files of the past five years distributed by Districts.

Districts.	Appeals filed in				
	1878.	1879.	1880.	1881.	1882.
Arcot (North)	87	148	178	199	220
Arcot (South)	260	219	267	262	268
Bellary	172	124	111	181	179
Canara (South)	539	469	514	525	458
Chingleput	268	239	269	307	336
Coimbatore	147	171	185	207	204
Cuddapah	74	149	196	155	216
Ganjam	135	173	217	213	199
Godavari	656	677	663	441	580
Kistna	172	176	205	250	288
Kurnool	22	65	43	54	45
Madura	337	321	332	357	371
Malabar (North)	572	522	541	617	509
Malabar (South)	784	859	969	1,038	1,113
Nellore	101	136	157	166	162
Salem	192	221	252	238	297
Tanjore (North)	271	343	309	290	230
Tanjore (South)	513	411	467	434	434
Tinnevelly	402	298	298	303	538
Trichinopoly	247	346	295	227	439
Vizagapatam	356	306	255	326	405
Total...	6,307	6,373	6,723	6,790	7,491
Average per District...	300	303	320	323	357

488. As compared with 1881, there has been in 1882 an increase in the files of 12 Districts and a decrease in those of 8 Districts. The increase in the Godavari District, where a marked falling off was remarked on in last year's Report, is considerable. In Tinnevelly and Trichinopoly, the increase is very remarkable. Attention may also be called to the steady, if not rapid, increase in the appellate files of the South Malabar District. In five of the Districts in which a decrease is observable, viz., Bellary, Coimbatore, Ganjam, Kurnool and Nellore, the falling off in the files is inconsiderable. The largest decrease has occurred in the contiguous Districts of South Canara and North Malabar.

* These do not include the work in the Agencies and the abolished Nilgiri Judicial Commissioner's Court. Hence the difference between them and the figures in para. 423 of last year's report.

APPEALS FROM DECREES.

489. Below is a classification, according to subject-matter, of the appeals *instituted* in 1882, showing the proportion the number in each class bears to the total.

Institutions of 1882 classified according to subject-matter.

	Number.	Percentage.
Appeals in Suits for money or moveables	1,820	24·96
Do. in Suits under the Rent Recovery Act	877	12·03
Do. in Title and other Suits	4,593	63·01
Total...	7,290	100·00

Institutions of 1882 classified according to Districts and subject-matter.

490. The following table distributes the appeals by Districts and also according to subject-matter :—

Districts.	Relating to money or moveable property.	Under the Rent Recovery Act.	Relating to Title and other Suits.	Total.
Arcot (North).	69	45	102	216
Arcot (South)	10	...	243	253
Bellary	99	...	74	173
Canara (South)	172	1	270	443
Chingleput	47	107	175	329
Coimbatore	58	6	139	203
Cuddapah...	83	...	128	211
Ganjam	78	3	101	182
Godavari	201	22	342	565
Kistna	120	4	164	288
Kurnool	16	...	29	45
Madura	45	49	270	364
Malabar (North)...	32	...	470	502
Malabar (South)...	324	...	768	1,092
Nellore	87	...	74	161
Salem	63	101	129	293
Tanjore (North)	23	...	195	218
Tanjore (South)	28	130	257	416
Tinnevelly	40	189	269	498
Trichinopoly	87	204	148	439
Vizagapatam	138	16	246	400
Total...	1,820	877	4,593	7,290
Average per District...	87	42	218	347

491. In appeals relating to money or moveable property, South Malabar, Godavari and South Canara show the largest files, while South Arcot, Kurnool and North and South Tanjore fall very much below the average. In appeals from Suits under the Rent Recovery Act, by far the largest numbers were instituted in Trichinopoly, Tinnevelly, South Tanjore, Chingleput and Salem, the Districts in which the largest institutions of rent Suits were noticed in the report for the year 1881. Considering the files in this class of Suits in Vizagapatam in 1881 and 1882, the number of appeals is disproportionately low. In appeals relating to Title and other Suits, South and North Malabar and Godavari take the lead of all other Districts, and the proportions of such appeals to the total institutions of title and other suits in those three Districts were as high as 70, 93 and 60 per cent. severally. South Canara, Madura and Tinnevelly had each 270 appeals arising in Title and other Suits. Kurnool, as usual, had the smallest number (29) of such appeals.

Aggregate and average value.

492. The value of 171 appeals could not be estimated in money. The total value of the remaining 7,119 appeals is Rs. 16,88,501, giving an average of Rs. 272 per appeal, as against an average value of Rs. 256 in 1881.

APPEALS FROM DECREES.

493. Below is a distribution of the appeals according to value.

Institutions of 1882 classified according to value.

Grade of value.	Number.	Percentage.
Not exceeding Rupees. 10	766	10·51
Above Rupees 10 and not exceeding Rupees 50	1,644	22·55
„ 50 „ 100	1,583	21·71
„ 100 „ 500	2,405	32·99
„ 500 „ 1,000	413	5·66
„ 1,000 „ 2,500	228	3·13
„ 2,500 „ 5,000	80	1·10
Not estimable in money	171	2.35
	7,290	100·00

494. Appeals exceeding 5,000 Rupees in value do not find a place in this table, as all such appeals lie direct to the High Court. The greater portion of the appeals were for property below 500 Rupees in value. Of the 721 appeals ranging between 500 and 5,000 Rupees in value, the largest numbers were contributed by South Malabar, Vizagapatam, North Tanjore and South Tanjore, *viz.*, 87, 87, 56 and 53 respectively.

II.—DISPOSALS.

Disposals.

495. Including 1,978 appeals pending at the beginning of 1882 in District Courts and 713 in Subordinate Judges' Courts, and excluding transfers, the numbers for disposal were 6,832 and 3,354 respectively in these Courts, or 10,186 in all. Of these, 7,349 were disposed of, viz., 4,544 in District Courts and 2,805 in Subordinate Judges' Courts, leaving 2,288 in District Courts, and 549 in Subordinate Judges' Courts, in all 2,837 appeals, pending disposal at the close of the year.

Disposals of 1882 distributed according to Courts and compared with the previous ten years.

496. The following figures show the variations from year to year and the proportions in which Subordinate Judges and District Judges disposed of appeals for the years, 1872 to 1882. The appellate work done by Courts of Small Causes is left out of account, as they ceased to exist in April 1879.

Year.	Subordinate Judges.	District Judges.
1872	50·23 ...	... 49.77
1873	38·84 ...	... 61·16
1874	39·89 ...	... 60·11
1875	35.83 ...	... 64·17
1876	33·09 ...	... 66·91
1877	37·32 ...	... 62·63
1878	37.80 ...	... 62·00
1879	35·66 ...	... 64·34
1880	33·85 ...	... 66·15
1881	35·16 ...	... 64·84
Average...	37·77 ...	... 62·20
Compare 1882...	38·17 ...	... 61·83

Work of 1882 in Subordinate Judges' Courts compared with the previous ten years.

497. The subjoined statement shows how the work for disposal, disposed of and in arrear varied from year to year in Subordinate Judges' Courts for the years, 1872 to 1882.

Year.	Number of Subordinate Judges.	Number for disposal.	Number disposed of.	Number in arrear.	Percentage of arrears to total for disposal.	Average number disposed of per Court.
1872 ...	15	4,497	3,536	961	21·37	236
1873 ...	12	3,379	2,474	905	26·79	206
1874 ..	15	3,215	2,322	893	27·78	155
1875 ...	13	3,100	2,450	650	20·97	188
1876 ...	15	2,995	2,317	678	22·64	154
1877 ...	14	3,502	2,701	811	22·88	193
1878 ...	13	3,159	2,368	791	25·04	182
1879 ...	13¾	2,714	2,144	570	21·01	156
1880 ...	13	2,650	2,268	382	14·42	174
1881 ...	13⅕	3,389	2,676	713	21·04	203
Average.	13 17/20	3,260	2,525	735	22·55	184
Compare 1882.	14 17/20	3,354	2,805	549	16·36	191

APPEALS FROM DECREES.

498. The number of appeals disposed of by these Courts in 1882 exceeded the average of the previous ten years by 280, and was higher than the numbers disposed of in any of the preceding nine years. The increased disposals took place chiefly in the Courts of the Subordinate Judges of Vizagapatam, Cocanada and Calicut.

The same in District Courts compared with the previous ten years.

499. The variations from year to year in the work for disposal, disposed of and in arrear for the years, 1872 to 1882, in District Courts, will appear from the following statement.

Year.	Number of District Judges.	Number for disposal.	Number disposed of.	Number in arrear.	Percentage of arrears to total for disposal.	Average number disposed of per Court.
1872 ...	21	6,922	3,503	2,223	46·56	167
1873 ...	21	6,781	3,896	2,885	42·55	185
1874 ...	21	7,091	3,499	3,592	50·63	167
1875 ...	21	8,496	4,387	4,109	48·35	209
1876 ...	20½	8,304	4,685	3,617	43·56	223
1877 ...	20	7,056	4,527	2,529	35·81	215
1878 ...	21	6,224	3,897	2,327	37·33	186
1879 ...	21	6,790	3,869	2,921	42·89	184
1880 ...	21	7,564	4,433	3,131	41·37	211
1881 ...	21	6,913	4,935	1,978	28·93	235
Average...	20$\frac{17}{20}$	7,214	4,163	3,031	42·01	200
Compare 1882...	21	6,832	4,544	2,288	33·49	216

500. These figures, though they show a slight falling off from the disposals of 1881, contrast not unfavorably with the average disposals of the nine preceding years. The District Court of South Malabar disposed of 491 appeals, being more than twice the average disposal per Court. The next highest number (379) was disposed of by the District Judge of Chingleput. In the District Courts of Vizagapatam, Trichinopoly, Madura and South Tanjore, the numbers decided were 315, 308, 299 and 292 respectively. In five other Courts, *viz.*, Coimbatore, Ganjam, Kistna, North Malabar, Salem, the disposals exceeded 200 appeals. The percentage of arrears at the end of 1882, though larger than in 1881, was considerably less than the average of the preceding ten years.

Mode of disposal.

501. The following figures give the general result of the appeals disposed of in both these classes of Courts.

Disposed of.			Number.	Percentage.	
Without trial			426	100·00	5·80
Without contest.	Decree of Lower Court	Confirmed...	199	61·04	4·43
		Modified	57	17·49	
		Reversed	70	21·47	
		Total...	326	100·00	
After contest.	Decree of Lower Court	Confirmed...	4,027	61·04	89·77
		Modified	896	13·58	
		Reversed	1,670	25·32	
	By arbitration...		4	·06	
		Total...	6,597	100·00	
		Grand Total...	7,349		100·00

APPEALS FROM DECREES.

Mode of disposal.

502. The observation made last year (para. 447 of the last year's report) that the proportion of contested to uncontested cases in appeals stood in an inverse ratio to that in original Suits is fully borne out by this statement. This year, the proportion has increased, the number of contested appeals being to those uncontested as 20 to 1 against 16 to 1 in 1881.

503. Of the total number of appeals disposed of, 63¼ per cent. resulted in confirmation of the decrees of the Lower Courts; and if the appeals disposed of without trial be left out of account as cases in which the merits were not gone into, appeals in which decrees were confirmed will stand to those in which decrees were disturbed in the proportion of 5 to 3.

Disposals in 1882 compared in detail with the previous ten years.

504. The following table compares these results with those of the preceding ten years.

Years.	Appeals disposed of				Decree confirmed.	Decree disturbed.	Percentage.			
	Without trial.	Without contest.	After contest.	Total.			Of Col. 2 to Col. 5.	Of Col. 3 to Col. 5.	Of Col. 4 to Col. 5.	Of Col. 7 to Col. 6.
1	2	3	4	5	6	7	8	9	10	11
1872...	684	580	5,971	7,235	2,702	2,849	9·45	8·02	82·53	105·44
1873...	643	269	5,458	6,370	3,519	1,716	10·09	4·22	85·69	48·60
1874...	548	225	5,048	5,821	3,206	2,067	9·41	3·87	86·72	64·47
1875...	661	186	5,990	6,837	3,684	2,487	9·67	2·72	87·61	67·51
1876...	571	191	6,240	7,002	3,862	2,569	8·15	2·73	89·12	66·00
1877...	657	268	6,303	7,228	4,126	2,425	9·09	3 71	87·20	58·77
1878...	566	192	5,507	6.265	3,583	2,106	9·03	3·07	87·90	58·77
1879...	467	191	5,355	6,013	3,445	2,101	7·77	3·17	89·06	60·98
1880...	455	244	6,002	6,701	3,851	2,395	6·79	3·64	89·57	62·19
1881...	501	403	6,707	7,611	4,221	2,889	6·58	5·30	88·12	68·44
Average...	575	274	5,858	6,708	3,619	2,360	8·58	4·10	87·33	65·28
Compare 1882...	426	326	6,597	7,349	4,226	2,697	5·80	4·43	89·77	60·91

505. The tendency to decrease in the number of appeals disposed of without trial noticed in last year's report (para. 449) continues.

506. Appeals dealt with under the provisions of Section 551 of the Code of Civil Procedure are treated as disposed of without contest. The increase under this head of disposal in 1880 and 1881 upon the figures for the two previous years was attributed to the working of the above-mentioned section. There has, however, been a decrease, in the year under review, in the number so disposd of, and this may to a great extent be traced to the fact that Mr. Turner, who succeeded Mr. Wigram as District Judge of Calicut, had discontinued the practice of hearing Appeals relating to money under that Section, and, at his suggestion, the same course was followed by the Subordinate Judge of Calicut. The High Court has since pointed out to these Judges that they were not at liberty to decline altogether to exercise the discretion conferred on them by the law.

507. Appeals disposed of after contest are considerably in excess of the average and are more numerous than in any of the previous years, 1881 excepted. This bears out the assertion made in para. 451 of last year's report that the proportion in this mode of disposal will, in the nature of things, continue to be high.

508. As in the last year, more decrees were disturbed in 1882 than the average number for the period dealt with in the statement, but there has been a decrease of nearly 6½ per cent. on the figures for 1881.

APPEALS FROM DECREES.

509. The following statement compares, by Districts, the total number of appeals disposed of with the total filed, and the number of contested cases disposed of with the total disposals, for 1882.

Files, disposals and contested appeals compared by Districts

Districts.	Total filed.	Total disposed of.	Total disposed of after contest.	Percentage of Col. 4 to Col. 3.
1	2	3	4	5
Arcot (North)	220	171	154	90·05
Arcot (South)	384	186	172	92·47
Bellary	310	197	177	89.95
Canara (South)	798	512	471	91·99
Chingleput	336	379	324	85·50
Coimbatore	212	249	244	97·99
Cuddapah	216	158	133	84 18
Ganjam	199	212	203	95·75
Godavari	976	694	575	82·56
Kistna	288	246	215	87 40
Kurnool	45	50	47	94·00
Madura	433	406	362	89·16
Malabar (North) ..	772	570	544	95·44
Malabar (South) ...	1,708	1,011	896	88·53
Nellore	162	84	78	92·86
Salem	297	244	196	80·33
Tanjore (North) ...	332	254	216	85 04
Tanjore (South)... ...	548	432	398	91 90
Tinnevelly	785	378	347	91 80
Trichinopoly	440	308	287	95·18
Vizagapatam	572	608	558	97·76
Total...	10,023	7,349	6,597	88·71

510. In the report for 1881 (para. 454), it was remarked that in 1881, the Appellate Courts had been more than equal to the incoming work. The remark, however, does not hold good for the year now under review. In the Districts of South Arcot, Cuddapah, Nellore, Tinnevelly and Trichinopoly, the disposals have fallen considerably below the accruals. On the other hand, the disposals have exceeded the incoming work in the following Districts—Vizagapatam, Chingleput and Coimbatore.

Average duration

511. The average duration of appeals disposed was as follows:—

	Contested.	Uncontested.
District Courts	134 days	98 days,
Subordinate Judges' Courts ...	97 „	73 „

512. The average duration in both the classes of Courts taken together was 117 and 87 days for contested and uncontested appeals respectively.

III.—ARREARS.

Arrears

513. At the end of 1882, there were 2,837 appeals against 2,699 in 1882, awaiting disposal. Of these, 549 were in Subordinate Judges' Courts and 2,288 in District Courts

514. Of the 549 appeals pending in Subordinate Judges' Courts, 309 awaited return of notice to the opposite party; in 43, either findings on issues or explanations have been called for; 190 were ready for final disposal and 7 were awaiting Judgment.

515. Of the 2,288 appeals pending in District Courts, 939 awaited return of notice; in 100, either findings on issues or explanations have been called for; one awaited an arbitrator's award; 1,172 were ready for final disposal, and 76 were awaiting Judgment.

516. Of the 2,837 appeals pending as aforesaid, 1,003 were more than three months old as against 847 at the close of 1881; 18 appeals only were pending over 12 months. For the reason given in para. 457 of the report for 1881, the comparison of the number of appeals pending over 3 months cannot be carried further back than 1881.

APPEALS FROM DECREES.

Arrears of over twelve months compared with the previous years.

517. The following table compares the number of appeals pending over 12 months at the close of 1882, with those for the preceding ten years, 1872 to 1881.

1872	...	...	824
1873	...	...	497
1874	...	...	269
1875	...	...	505
1876	...	...	557
1877	...	...	270
1878	...	...	163
1879	...	...	216
1880	...	...	277
1881	...	...	107
		Total...	3,685
		Average...	368
		Compare 1881...	18

518. The great decrease in the number of appeals pending for over 12 months must be regarded as highly satisfactory.

Causes of pendency.

519. All the 18 appeals of more than one year's standing were on the files of District Courts. 11 were in the District Court of South Canara. The District Judge explains that 10 of this number form two sets of connected cases, one of which awaited the return of a finding on issues, and the other depended on the decision of the High Court in a Civil Miscellaneous Appeal, which was disposed of by the High Court only in January 1883; and that in the remaining case, which had been remanded to the Lower Court for finding on issues, the appellant died and the appeal abated since the close of the year, no representative having been brought on the file.

520. Of the remaining 7 appeals, 2 were in the District Court of Chingleput and 5 in that of Nellore. The Acting Judge of the latter District (Mr. F. E. Gibson) explains that two of them depend on the decision of an original suit pending before him, 2 await return of findings on issues, and the remaining appeal is postponed pending the return of the Judge (Mr. Campbell) from leave, he himself being unable to decide it by reason of his acquaintance with the appellant (a pleader of his Court) and with local details. The delay in respect of this one case might probably have been avoided by an application for transfer to another District.

Courts with the oldest pending appeals.

521. The oldest appeals were as follows :—

District Courts.	*Subordinate Judges' Courts.*
Nellore (635 days), South Canara (545 days), and Chingleput (459) days.	Cocanada (360 days), Tellicherry (329 days), Bellary (324 days), and Cuddaloro (322 days).

522. The District Court of Vizagapatam and the Subordinate Judge's Court of Madura (East) show the shortest pendency, the oldest appeals being pending only 65 and 23 days respectively.

IV.—OBJECTIONS UNDER SECTION 561.

Objections under Section 561 C. P. C.

523. 266 objections were filed in 1882, which, together with 34 pending from the previous year, made 300 for disposal. Of these, 260 were disposed of, 82 being allowed and 178 disallowed, leaving 40 undisposed of at the close of the year.

V.—UNREGISTERED APPEALS.

Unregistered appeals.

524. 87 appeals were rejected or returned before regi-tration and 101 were pending registration—all in District Courts——at the close of the year. The oldest of the latter has been pending in the District Court of Godavari for 54 days.

B.—APPEALS FROM ORDERS.

APPEALS FROM ORDERS.

I.—INSTITUTIONS.

Institutions.

525. 673 appeals were instituted in 1882. Of these, 23 were filed in the Subordinate Judge's Court at Cocanada, and the remaining 650 in District Courts.

APPEALS FROM ORDERS.

1881 and 1882 compared.

526. The following is a distribution, by Districts, of the appeals instituted in 1881 and 1882.

	1881.	1882.		1881.	1882.
Arcot (North)	19	16	Malabar (North)	36	34
Arcot (South)	19	23	Malabar (South)	101	93
Bellary	15	12	Nellore...	10	14
Canara (South)	57	59	Salem	15	24
Chingleput	15	17	Tanjore (North)... ...	36	38
Coimbatore	10	2	Tanjore (South)	59	76
Cuddapah	15	13	Tinnevelly	27	53
Ganjam	10	17	Trichinopoly...	62	30
Godavari	93	83	Vizagapatam	33	39
Kistna	8	16			
Kurnool	7	4	Total ...	668	673
Madura	21	28	Average per District ...	32	32

Disposals.

II.—DISPOSALS.

527. Including 60* appeals pending at the close of 1881, 5 received by remand and 12 re-admitted, and excluding transfers, the number for disposal was 751, *viz.*, 34 in Subordinate Judges' Courts and 717 in District Courts. Of these, 682 were disposed of—27 by Subordinate Judges and 655 by District Courts—leaving 69 (*viz.*, 7 in the former and 62 in the latter class of Courts) pending at the end of the year.

Mode of disposal.

528. The following figures give the result of these appeals.

Disposed of.			Number.	Percentage.	
Without trial			115	100·00	16·86
Without contest...	Decree or order of Lower Court	Confirmed ...	81	68·07	17·45
		Modified... ...	5	4·20	
		Reversed... ...	33	27·73	
		Total...	119	100·00	
After contest ...	Decree or order of Lower Court	Confirmed ...	254	56·70	65·69
		Modified... ...	34	7·59	
		Reversed... ...	160	35·71	
	By arbitration		...	...	
		Total...	448	100·00	
		Grand Total...	682		100·00

Arrears.

III.—ARREARS.

529. Including 7 appeals pending in the Subordinate Judge's Court of Cocanada, 69 were pending at the close of 1882, being only 9 per cent. of the total for disposal: of these, 25 awaited return of notice to the opposite party; in 4, either findings on issues or explanations have been called for; and the remaining 40 were ready for final disposal.

530. Of these 69 appeals, only 3 were more than three months old and included one old case which has been pending over one year (or 498 days) in the District Court of Cuddapah. The District Judge explains that the delay is owing to the non-receipt of an explanation called for from the Lower Court.

Objections under Section 561 C. P. C.

IV.—OBJECTIONS UNDER SECTION 561.

531. Only 3 objections were received during the year and all of them were disallowed.

V.—UNREGISTERED APPEALS.

Unregistered appeals.

532. 5 appeals were rejected or returned before registration, and 5 were left unregistered at the close of the year, of which the oldest has been pending in the Tinnevelly District Court for 11 days.

* The difference between these figures and those in para 472 of the Report for 1881 is owing to an error in the Returns of the Mangalore Subordinate Judge's Court for 1881.

GENERAL.

Contribution of the several Districts to aggregate litigation.

533. The relative contribution of the several Districts of the Presidency to the aggregate litigation (omitting suits before Village Munsifs' Courts) of the year is indicated in the following statement:—

District.	Small Causes.	Ordinary Suits.	Appeals to District and Subordinate Judges'. Courts.	Appeals to the High Court.	Total.	Percentage to Total.
Malabar (South) ...	8,381	7,767	1,092	162	17,402	10·73
Do. (North) ...	9,964	3,255	502	85	13,806	8·51
Tanjore (South) ...	8,095	4,680	415	101	13,291	8·20
Godavari...	5,632	5,391	565	45	11,633	7·17
Do. Agency... ...	...	183	5	...	188	·12
Madura	5,889	3,911	364	77	10,241	6·31
Tinnevelly	5,188	3,792	498	79	9,557	5·89
Tanjore (North) ...	5,976	2,153	218	80	8,427	5·20
Kistna	3,769	4,097	288	26	8,180	5·04
Vizagapatam	3,934	3,045	400	87	7,466	4·60
Do. Agency ...	...	218	7	...	225	·14
Arcot (South)	3,987	2,872	253	53	7,165	4·42
Do. (North) ...	2,878	3,424	216	21	6,539	4·03
Canara(South)	2,592	3,245	443	73	6,353	3 92
Trichinopoly	2,198	3,022	439	46	5,705	3·52
Salem	2,097	3,015	293	56	5,461	3·37
Coimbatore	1,773	3,395	203	53	5,224	3·34
Chingleput	1,865	2,887	329	109	5,190	3·20
Ganjam	2,282	2,593	182	21	5,078	3·13
Do. Agency ...	...	59	1	...	60	·04
Nellore	1,840	2,702	161	21	4,724	2·91
Cuddappah	1,651	2,140	211	16	4,018	2.48
Bellary	1,704	2,101	173	28	4,006	2·47
Kurnool...	896	1,098	45	7	2,046	1·26
Total...	82,591	71,045	7,303	1,146	1,62,185	100·00
*Average per District...	3,933	3,383	348	59	7,723	...
Madras...	21,296	407	...	24	21,727	...

534. The Districts stand in very nearly the same order of precedence as in 1881. As usual, the wealthy and important District of South Malabar contributed the highest number, 17,402, being as much as 10·73 per cent of the entire litigation of the Provinces. North Malabar, South Tanjore, Godavari, and Madura come next with the proportions of 8·51, 8·20, 7·29, and 6·31 per cent. respectively of the total litigation. Kurnool, as usual, contributed the smallest proportion of any District in the Presidency, *viz.*, 1·26 per cent., while the two adjoining Districts of Bellary and Cuddapah contributed only 2·47 and 2·48 per cent. respectively.

Contribution of the several Districts to the total litigation before Village Munsifs.

535. The following statement shows, in the order of numerical importance, the extent to which the Village Munsif's Courts were used during the year in the several Districts:—

Tanjore (South)	6,972	Malabar (South)	1,284
Madura	6,902	Chingleput	1,226
Tanjore (North)	4,602	Nellore	826
Gadavari	4,305	Ganjam	593
Tinnevelly...	3,928	Canara (South)	478
Coimbatore	2,927	Cuddapah	439
Salem	2,441	Bellary	290
Kistna	2,369	Malabar (North)	253
Vizagapatam	1,996	Kurnool	215
Arcot (South)	1,979		
Trichinopoly	1,562	Total...	46,947
Arcot (North)	1,460		
		Average upon 21 Districts...	2,234

GENERAL.

Contribution to litigation before Village Munsifs.

536. The Districts of Tanjore and Madura contributed nearly 40 per cent. of the total litigation in Village Munsifs' Courts. Kurnool exhibits the lowest figure (215), being less than half per cent. of the entire litigation. It is to be noticed that in the Districts of Malabar, North and South, which head the list in litigation before regular tribunals, Village Munsifs' Courts exercise jurisdiction to a comparatively small extent. This fact, as remarked in the Report for 1881, may to some extent account for the pre-eminence of Malabar in the number of Suits filed before Regular Courts.

Distribution by Districts, of population, litigation, receipts and charges.

537. The Receipts and charges of Judicial Civil administration and the ratio of population to Suits is shown in the following statement:—

District.	Population.	No. of Suits.	Judicial Receipts.	Judicial Charges	Surplus or Deficit.	Ratio of population to Suits.
			Rs.	Rs.	Rs.	
Arcot (North)	18,17,814	6,123	1,02,097	71,488	+30,609	297
Do. (South)	18,14,738	6,812	1,00,346	92,363	+ 7,983	296
Bellary	13,36,696	3,801	85,513	79,744	+ 5,769	351
Canara (South)	9,59,514	5,812	1,30,137	1,05,375	+24,762	165
Chingleput	9,81,381	3,998	63,773	60,004	+ 3,769	245
Coimbatore	16,57,690	5,117	1,15,882	87,220	+28,662	519
Cuddapah	11,21,038	3,789	70,763	81,906	—11,143	296
Ganjam	15,03,301	4,624	74,347	61,579	+12,768	325
Godavari	17,80,613	10,610	2,23,914	1,27,145	+96,769	168
Kistna	15,48,480	7,649	1,21,707	79,615	+42,092	202
Kurnool	7,09,305	1,994	39,775	50,599	—10,824	356
Madura	21,68,680	9,457	2,10,964	1,09,361	+1,01,603	229
Malabar (North)	23,65,035	13,219	1,57,844	1,03,566	+54,278	81
Do. (South)		16,141	2,78,026	1,53,885	+1,24,141	
Nellore	12,20,236	4,492	84,800	60,734	+24,066	272
Salem	15,99,595	4,696	78,780	76,188	+ 2,592	341
Tanjore (North)	21,30,383	8,110	1,77,597	1,00,618	+76,979	109
Do. (South)		11,429	1,90,659	1,40,693	+56,966	
Tinnevelly	16,99,747	8,489	1,49,299	92,899	+56,400	200
Trichinopoly	12,15,033	4,836	85,977	59,268	+26,709	251
Vizagapatam	17,90,468	6,673	1,35,496	95,814	+39,682	268
Total...	2,94,19,747	1,47,871	26,84,696	18,90,064	+7,94,632	199
Average per District...	14,00,940	7,041	1,27,843	90,003	+ 37,839	199
Madras...	4,05,848	21,703	3,06,795	5,12,213	—2,05,418	18
Total for the Presidency...	2,98,25,595	1,69,574	29,91,491	24,02,277	+5,89,214	...

Surplus and deficit of certain Districts.

538. From this Statement, the following facts may be deduced:—In two Districts, Cuddapah and Kurnool, the judicial charges have exceeded the receipts. In the former District, the receipts and charges were "almost equal" or, in other words, the charges exceeded the receipts by only 138 Rupees in 1881, whereas, in the year under review, however, the charges exceeded the receipts by Rupees 11,143. In all the remaining Districts, there is a distinct surplus of a greater or less amount. As in last year, the Districts which showed the largest surplus, were Madura and North and South Malabar, the figures being 1,01,603 for the first District, and 1,78,419 for the last two Districts taken together.

Ratio of population to suits.

539. Looking next at the ratio of population to Suits, we find a diminution in litigation in Malabar, viz., one in 81 as against one in 76 last year. The District next in order is Tanjore, where the ratio is one Suit to every 109 persons against 116 persons last year: South Canara (1 to 165), and Godavari (1 to 168) follow, but by a considerable interval.

540. Dealing with the Suits actually brought before the Courts, the average "receipts" per Suit are at the rate of Rupees 17 as against Rupees 14, expenditure.

541. At the Presidency Town, the figures show a deficit; but this is more apparent than real, as the cost of at least the Appellate Side of the High Court may fairly be charged against the Provinces. The Presidency Small Cause Court in the year under review, yielded a surplus of over 22,000 Rupees.

GENERAL.

542. The receipts and charges on account of process service are separately dealt with below according to Districts :—

Distribution by Districts of receipts and charges on account of Process Service.

Districts.	Receipts.	Charges.	Surplus.	Deficit.
Arcot (North)	30,273	21,296	8,977	...
Arcot (South)	32,060	30,973	1,087	...
Bellary...	23,599	24,618	...	1,019
Canara (South)	35,129	26,618	8,511	...
Chingleput	15,137	13,065	2,072	...
Coimbatore	26,240	19,136	7,104	...
Cuddapah	22,774	26,200	...	3,426
Ganjam	20,367	17,847	2,520	...
Godavari	66,341	54,820	11,521	...
Kistna	40,283	29,165	11,118	...
Kurnool	11,456	14,894	...	3,438
Madura	62,439	38,639	23,800	...
Malabar (North)...	44,858	37,980	6,878	...
Malabar (South)...	73,528	53,018	20,510	...
Nellore	24,776	23,457	1,319	...
Salem	23,392	23,068	324	...
Tanjore (North)	48,704	29,738	18,966	...
Tanjore (South)	58,906	44,633	14,273	...
Tinnevelly	44,325	38,466	5,859	...
Trichinopoly	21,422	18,128	3,294	...
Vizagapatam	33,518	30,173	3,845	...
Total...	7,59,527	6,15,932	1,51,478	7,883
Or a net surplus of Rupees...	...	...	1,43,557	...
Average upon 21 Districts...	36,168	29,330	6,837	...

Surplus and deficit.

543. 1882 shows a surplus of Rupees 1,43,557, or, in other words, a surplus of Rs. 14,983 more than 1881. Taken by Districts, the expenditure exceeded the receipts in only three Districts in 1882 as against four in 1881 (para. 490 of the report for 1881). The attention of the District Judges in whose Districts the charges exceeded the receipts was called to the necessity of reducing their establishments, but pending the general introduction of the scheme for establishing Central Nazarats, it has not been thought advisable to effect any considerable reductions.

544. Allowing 12 per cent. for pensionary liabilities, the charges actually incurred in 1882, *viz.*, Rupees 6,15,932, would rise to Rupees 6,99,844, leaving a net surplus of Rupees 59,683. But a Clerk on Rupees 25 in every District Munsif's Court and a portion of the Nazir's pay in every superior Court—say Rupees 20—may fairly be taken to represent the proportion of the permanent establishment exclusively engaged on work connected with Process Service, and debited against the Process service Fees, with an additional 12 per cent. for pensions. The total charges would then amount to Rupees 7,36,010, leaving a net surplus of only Rupees 23,517 or 3·11 per cent. of the receipts.

Average institutions and disposals distributed according to classes of Courts.

545. The following table indicates the average institutions and disposals (excluding, of course, exceptional Courts) in the several classes of Courts.

Class of Courts.	Ordinary Suits.		Small Causes.	
	Average institutions.	Average disposals.	Average institutions.	Average disposals.
Presidency Court of Small Causes	...	...	21,296	22,910
Village Munsif's Courts	16	16	...	...
Revenue Courts...	78	69	...	...
Cantonment Court of Small Causes	...	...	243	244
District Munsif's Courts	577	584	637	646
Subordinate Judge's Courts	54	65	767	790
District Courts	13	15	...	...
High Court (Original Side)	407	307	...	...

GENERAL.

Average institutions and disposals.

546. In the District Courts, which constitute the highest class of Courts Subordinate to the High Court, the average institution of Original Suits is very low as compared with that in the other classes of Courts, and is lower also than the average for the same class of Courts in 1881. The reason is, of course, that given in para. 491 of last Report. In 12 out of 21 Districts, Subordinate Judges' Courts have been established, and, as a result of the legislation of 1873, these Courts virtually absorb all the higher original litigation excepting only certain classes of Suits or proceedings, which under special enactments must come before the District Courts.

547. The appellate work disposed of by the District Judges exceeds that disposed of by Subordinate Judges by 38¼ per cent., and a large portion of the time of District Judges is devoted to Criminal and to special miscellaneous work (Registration and Heirship Certificate Acts, Act XIX of 1841, &c.)

Average value of Suits instituted in the several classes of Courts.

548. The average value of the Suits instituted in the several classes of Courts is indicated in the following table. In computing this average, the number of Suits shown as not estimable in money is, of course, left out of account.

Class of Courts.	Average value of Ordinary Suits.	Average value of Small Causes.
	Rs.	Rs.
High Court (Original Side)...	6,646	...
Presidency Court of Small Causes	...	37
Village Munsifs' Courts	6	...
Revenue Courts	45	...
Cantonment Courts of Small Causes	...	37
District Munsifs' Courts	174	23
Subordinate Judges' Courts...	5,848	141
District Courts	10,312	...

549. The high average values of the original Suits in the Subordinate Judges' and District Courts, though smaller than the averages for 1881, is worthy of remark.

Proportion of contested cases to disposals in the several classes of Courts.

550. The proportion in which Suits are contested in the several classes of Courts is a matter of some interest and is dealt with in the following statement; those disposed of without trial are excluded from total disposals.

Class of Courts.	Decreed after contest.	
	Ordinary Suits.	Small Causes.
Presidency Court of Small Causes	...	17·31
Village Munsifs' Courts	17 15	...
Revenue Courts	76·13	...
Cantonment Courts of Small Causes	...	28·64
District Munsifs' Courts	42·60	26·96
Subordinate Judges' Courts	60·82	29·91
District Courts	60·52	...
High Court (Original Side)	64·26	...

551. As observed last year, the proportion of contested Suits continues to be highest in the Revenue Courts. The Revenue Courts in this Presidency being, as pointed out last year, empowered to deal with substantial disputes between landlords and tenants, the proportion of contested Suits in this class of Courts, where the jurisdiction is exercised, cannot but be large in a country in which agriculture forms the main occupation of the people. The proportion of contested Suits in the District and Subordinate Judges' Courts is this year pretty nearly equal. In 1881, the proportion in the former class of Courts was considerably less than in the latter. A very slight variation in the average disposals (which are as few as 15 and 65 respectively) would materially affect the proportions. The proportions of contested Small Causes in the Courts in the Mufassal are very nearly equal in the several classes of Courts.

GENERAL.

552. The proportion of contested cases in which judgment was given for plaintiff or defendant respectively is indicated in the following statement: cases disposed of by arbitration are excluded.

Proportions in which Plaintiffs succeeded or failed, distributed according to classes of Courts.

Class of Courts.	Ordinary Suits.			Small Causes.		
	For plaintiff.	For defendant.	Percentage of Col. 2 to Total.	For plaintiff.	For defendant.	Percentage of Col. 5 to Total.
1	2	3	4	5	6	7
High Court (Original Side) ...	125	52	70·62	...	...	...
Presidency Court of Small Causes	...	...	...	2,802	835	77·04
Village Munsifs' Courts	5,075	1,322	79·32	...	...	...
Revenue Courts	1,597	1,104	59·13	...	...	...
Cantonment Courts of Small Causes.	...	...	...	93	21	81·58
District Munsifs' Courts	18,315	6,169	74·80	11,577	4,532	17·86
Subordinate Judges' Courts ...	331	191	63·41	2,383	740	76·29
District Courts	92	67	57·86	...	1	...
Total...	25,535	8,905	74·14	16,855	6,129	73·33

553. This statement shows that, in about 74 per cent. of the contested cases, the plaintiff's Suit was successful. This proportion is almost the same as in 1881. In the District Courts, the proportion of successful plaintiffs, which was remarked on last year as being low, has risen to 63 per cent. of the contested cases in the year under retrospection.

Arrests, imprisonments &c., in execution, distributed according to classes of Courts.

554. In the department of execution, the amounts realized on behalf of suitors in the several classes of Courts is indicated in the following statement: the number of cases in which the Judgment-debtor was arrested or imprisoned is also shown.

Class of Courts.	Number of cases in which judgment-debtor was		Percentage of Col. 3 to Col. 2.	Amount realized after issue of process.	Amount voluntarily paid into Court.	Total amount realized.
	Arrested.	Imprisoned.				
1	2	3	4	5	6	7
Presidency Court of Small Causes ...	1,101	390	35·42	64,596	80,784	1,45,380
Revenue Courts	...	...	...	3,006	447	3,453
Cantonment Courts of Small Causes ...	72	5	6·97	2,595	603	3,198
District Munsifs' Courts	8,374	684	8·17	22,09,304	3,40,951	25,50,255
Subordinate Judges' Courts	1,050	175	16·67	7,16,856	57,168	7,74,024
District Courts	68	9	13·24	2,12,194	23,794	2,35,988
Total...	10,665	1,263	11·84	32,08,551	5,03,747	37,12,298

GENERAL.

Amounts realized.

555. In the Cantonment Courts of Small Causes and in the District Munsifs' Courts, the imprisonment of debtors has occurred in the proportions of about 7 and 8·17 per cent. of the persons actually arrested. The amount of money debts collected through the agency of the Courts aggregated Rs. 37,12,298 or about £310,000 sterling.

Adjustments out of Court.

556. In 12,044 cases, adjustments of decrees were effected out of Court, and in 49,907 the execution proceedings are stated to have proved wholly infructuous.

Extent in which immoveable property was dealt with.

557. The extent to which landed estates were dealt with in execution by the Courts is indicated numerically in the following statement; but information is not available as to the money value of the estates which were divided or otherwise dealt with.

Class of Courts.	Number of cases in which	
	Possession was given of immoveable property or partition was effected.	Immoveable property was sold, released, or otherwise dealt with.
Presidency Court of Small Causes	27	...
District Munsifs' Courts	6,043	12,176
Subordinate Judges' Courts	141	339
District Courts	31	80
Total...	6,242	12,595

Insolvency operations of the several classes of Courts.

558. The operations of the Insolvency provisions introduced into the procedure of the Civil Courts by Act X of 1877 (now Act XIV of 1882) is shown in the following abstract statement for the several classes of Courts.

Class of Courts.	Applications for declarations of insolvency.		Number of Estates placed in charge of Receivers during the year.	Amount realized during the year.	Amount disbursed.
	Received.	Granted			
Presidency Court of Small Causes.	76	21	4	180	148
District Munsifs' Courts	433	102	12	1,683	1,652
Subordinate Judges' Courts ...	104	43	5	16,341	9,797
District Courts	12	8	1	9	...

559. The figures against the District Munsifs' Courts show that the Insolvency provisions were availed of by the judgment-debtors before those Courts to a larger extent than in the last year. Even in the other two classes of Courts (Subordinate Judges' and District Courts), the number of cases in which relief was granted to the insolvent has increased from 29 last year to 51 in 1882.

MISCELLANEOUS.

560. In the course of the year, 1 Advocate, 7 Vakils and 4 Attorneys were enrolled in the High Court. Practitioners of the High Court.

561. On 16th January 1882, the High Court, in submitting its final report in connection with the establishments sanctioned in G. O., 19th November 1878, No. 2,343, Judicial, recommended that (1) the salaries of the Sheristadar and Head Clerk of the Subordinate Judge's Court of Madura (West) be raised from Rs. 80 and 35 respectively to 90 and 45, (2) that two clerks be sanctioned for the District Court of South Malabar on 15 Rupees in place of one on 17½; (3) that two clerks on 15 Rupees each be allowed to the District Courts of Ganjam, Kurnool, Malabar (North), and Nellore; and (4) that the salaries of the 2nd, 3rd, 4th and last clerks in the 111 District Munsifs' Courts be raised from Rupees 20, 15, 15, and 10 to Rupees 25, 17, 17 and 12 respectively. These measures involved an additional expenditure of Rupees 16,482. It was pointed out that this sum, deducted from the savings, Rupees 17,526, left available a balance of Rupees 1,044 per annum for the increase of the salaries of a certain number of the District Munsifs and Subordinate Judges. The Government, in their Order dated 9th March 1882, No. 244, Judicial, approved and sanctioned the above proposals, which resulted in leaving a balance of Rupees 87 a-month for unforeseen charges; in the same Order, Government, after remarking that Mr. Hutchins' plan of having but one Sheriff's Establishment for the several Civil Courts at the Head-quarter station had effected in Madura a saving of Rupees 600 a-month and was expected ultimately to save Rupees 900, requested the Honorable the Judges to press forward the introduction of the Nazarat scheme everywhere. They intimated that, in the matter of first claim for increased pay when further funds become available, the Government maintained their former decision that, in each of the District Munsifs' Courts, the Head Clerk's salary should be raised from 40 Rupees to 50 Rupees, and that each Subordinate Judge's Court should have an additional Clerk on 20 Rupees. Increase to the establishments of certain Courts.

562. In their Order dated 18th January 1882, No. 97, J. D., the Government directed that Act II of 1881 repealing Madras Act I of 1868 (an Act for the appointment of a Commissioner for the Administration of Civil and Criminal Justice and for the Superintendence and Collection of the Revenue of the Nilgiri Hills) should be brought into operation on the 1st February 1882, and that, for the purposes of Civil and Criminal Justice, the Nilgiri District should be included within the jurisdiction of the District and Sessions Court of Coimbatore, and the District Magistrate constituted an Additional Sessions Judge, invested with power to try all offences not punishable with death or transportation for life. A Subordinate Judge's Court was at the same time established at Ootacamund with jurisdiction throughout the Nilgiri District. The Judge of that Court was invested with the jurisdiction of a Court of Small Causes for the trial of Suits cognizable by such Courts up to Rupees 500 arising within his ordinary jurisdiction. Re-organization of the Nilgiri District.

563. On 1st February 1882, the several District Judges were requested to state whether the Munsifs' Courts in their Districts could with advantage be graded for purposes of establishments into Courts of the 1st and 2nd Class. Having considered the replies, the High Court did not think it expedient to take any steps in the direction indicated. It appeared to the Court sufficient to remind the District Judges that, under Act XIX of 1877, Section 24A, District Judges were empowered to transfer all or any of the Ministerial Officers of any Court under their control to any other such Court. Grading of establishment of District Munsifs' Courts.

564. By a Notification dated 9th March 1882, the Right Honorable the Governor in Council, under the provisions of Section 3, Act II of 1869, appointed Mr. A. F. Elliot, District Munsif of Bellary, to be a Magistrate of the 1st Class and a Justice of the Peace within the territories subject to the Government of Fort Saint George. This Notification was issued at the instance of the District Magistrate of Bellary, who represented that, owing to the arrangements resulting from the recent division of the Bellary District, it was almost impossible for him to leave his head-quarters unless a European officer of some standing and experience was on the spot to attend to charges against Europeans and to other matters which it was desirable should be dealt with by a European Officer. Investiture of the District Munsif of Bellary with powers of a 1st Class Magistrate and Justice of the Peace.

Warrants of commission addressed to Courts in Pudukota Territory.

565. On 5th May 1882, Mr. H. Sewell, Political Agent of Pudukota, requested the instructions of Government as to whether warrants of commission issued by Courts in British India and addressed to Courts in the Pudukota Territory should not, as a rule, be sent through the Political Agent. The Government referred the letter to the Honorable the Judges for opinion. The Honorable the Judges having agreed that the course proposed by the Political Agent was a reasonable and proper one, the Government approved and sanctioned the same for general adoption. (G. O., 27th May 1882, No. 91, Political).

Nazarat scheme at Madura.

566. In his letter to the Chief Secretary to Government, dated 31st May 1882, the Accountant-General, referring to G. O., 1st February 1881, No. 240, sanctioning as a tentative measure the scheme proposed by Mr. Hutchins for the re-organization of the Process Service Establishment of the five Courts at Madura, requested to be informed as to the period for which the present temporary arrangement was to continue. The Government, on reference to Mr. Hutchins, directed that the arrangement should continue in force for another year unless other orders were passed within that period. This approval was communicated to the Accountant-General.

Transfer of certain villages from Srivilliputtur Munsif's Jurisdiction to that of the District Munsif of Tuticorin.

567. On the 23rd March 1882, Mr. J. B. Pennington, Collector of Tinnevelly, addressed the Secretary to the Board of Revenue on the subject of the transfer of certain ryotwari villages, named, 1 Koppampati, 2 Mudukalankulam and 3 Kamrampati, from the Taluk of Sattur to Ottapidaram. The Collector represented that the residents of these villages were put to great inconvenience in civil matters, by being placed under the jurisdiction of the District Munsif of Srivilliputtur, whose Court was upwards of 40 miles distant from their villages, and that this inconvenience would be obviated by their transfer to Ottapidaram (under the jurisdiction of the District Munsif of Tuticorin), to which they had been attached before the settlement. The Government, to whom the matter was submitted by the Board of Revenue, sanctioned the transfer and communicated the order to the Honorable the Judges of the High Court. Mr. Hughesdon, District Judge of Tinnevelly, was thereupon asked by the High Court to report whether it was desirable for judicial purposes to transfer the villages named from the jurisdiction of the District Munsif of Srivilliputtur to that of the District Munsif of Tuticorin. The District Judge, on consulting the Munsifs concerned, reported that no objection existed to the proposed transfer. The necessary notification was accordingly issued by the High Court with effect from 1st September 1882.

Appointment of an extra Sub-Judge for the South Malabar District.

568. On 14th April 1882, Mr. Wigram, Officiating District Judge of South Malabar, who was then about to be transferred to Coimbatore, addressed the High Court on the subject of affording relief to the South Malabar District Court. Mr. Wigram represented the work of the District Court was increasing so rapidly that it would soon be beyond the power of a single Judge to cope with it. He suggested that, if the Munsifs of Palghat and Temulpuram were made subordinate to the Coimbatore District Court, the work of the South Malabar District Court would be sensibly lightened. The High Court, in forwarding this letter to Government, stated that, although a majority of the Court would not oppose the temporary adoption of Mr. Wigram's proposals as an experimental measure, Mr. Justice Innes and Mr. Justice Muttusami Aiyar were of opinion that the difference of languages, laws and customs of Malabar and Coimbatore rendered the proposed transfer inexpedient, and that the appointment of an additional Subordinate Judge at Palghat commended itself, on the whole, to the Court as the most suitable and also the most economical measure of relief. The Governor in Council, in G. O., dated 28th July 1882, No. 817, Judicial, concurred with the High Court in considering it essential that the District Judge of Malabar (South) should have some additional assistance, and pending the decision of the Government of India in regard to the proposals for the creation of a staff of Assistant Judges, sanctioned, as a temporary measure, the appointment of an extra Subordinate Judge to be stationed at Palghat. The Acting District Judge of South Malabar having deprecated on various grounds the appointment of an additional Subordinate Judge at Palghat, the Registrar of the High Court (Letter dated 31st August 1882, No. 1,930) forwarded the Acting District Judge's letter to Government, and stated that, while the High Court was of

opinion that extra assistance would sooner or later be required by the District Judge, the Court considered that the state of the file brought to notice was a sufficient ground for allowing the appointment of an additional Subordinate Judge to remain for the present in abeyance. In their Order dated 25th October 1882, No. 1,689, (Judicial), the Government, while communicating to the High Court the sanction of the Government of India to the appointment for six months of an extra Subordinate Judge to the South Malabar District, observed that, in compliance with the High Court's letter of the 31st August 1882, the establishment of the temporary Subordinate Court at Palghat had been left in abeyance.

Suggested relief to the Royaveram District Munsif's Court.

569. Mr. A. L. Lister, Acting District Judge of Vizagapatam, in a letter dated 7th August 1882, brought to the notice of the High Court that the file of the Munsif's Court at Royaveram was the heaviest in the District and that the work at Bimlipatam was exceedingly light. He suggested that the District Munsif of Bimlipatam should go to Royaveram for two months to reduce the file and requested that, under Section 11 of the Madras Civil Courts' Act, the District Munsif of Bimlipatam might be invested with jurisdiction in Royaveram for a period of two months commencing from the 15th September. The High Court, in its Proceedings of 30th August 1882, declined to sanction the proposal, observing that the Civil Courts' Act did not contemplate the case of two District Munsifs exercising jurisdiction within the same local area, and that, apart from this legal difficulty, the measure suggested was objectionable on the further grounds that it proposed an arrangement of a make-shift character, and that the suitors of the Bimlipatam Court would inevitably suffer from the District Munsif's absence.

Addition to the establishment of the North Malabar District Court.

570. In the Registrar's letter to Government, dated 7th October 1882, No. 2,363, it was stated that the District Judge of North Malabar (Mr. Reid) had lately represented that the services of three additional permanent Clerks were imperatively required, and that the High Court, after communication with and inquiry from the District Judge, was satisfied that the assistance asked for should be given. It was also stated that Mr. Reid asked for further but temporary assistance in the shape of two Clerks to be employed for a term of one year in assisting the Record-keeper of the District Court and for two Clerks to be similarly employed for a similar period in connection with the records of the abolished Court of Small Causes of Tellicherry, &c., in the custody of the Subordinate Judge's Court of North Malabar. The necessity for temporary assistance in the record-room of the District Court as well as in that of the Subordinate Court appeared to the High Court to be well established. The salaries of the three additional permanent Clerks on Rupees 15 each amounted to Rupees 45, and those of the four temporary clerks on Rupees 10 each to Rupees 40 *per mensem*. These two items forming an aggregate charge of Rupees 85 *per mensem* would, it was observed, absorb almost the whole of the outstanding balance of Rupees 87 a-month referred to in G. O., 9th March 1882, No. 244. The Government, in their Order dated 22nd November 1882, No. 1,933, Judicial, sanctioned the proposals made by the High Court.

Defalcation of suitors' monies in the Shernad District Munsif's Court.

571. In the Registrar's letter of 15th December 1882, the High Court reported to Government that a serious defalcation of suitors' monies had occurred in the Court of the District Munsif of Shernad, South Malabar. The total sum embezzled amounted to Rupees 1,161-5-3. Of this amount, Rupees 156-4-6 had been recovered from certain Vakils of the District Munsif's Court and Rupees 122-8-4 had lapsed although it had not been actually credited to Government. These funds were embezzled by one T. Gopala Menon, 2nd Clerk of the District Munsif's Court, who in the absence on sick leave of the 1st Clerk was required by the District Munsif to discharge the accounting duties of the 1st Clerk. The sums embezzled were obtained from the Treasury by means of 20 fraudulent cheques. T. Gopala Menon was convicted by the Sessions Court of Calicut of forgery and other offences and was sentenced to seven years' rigorous imprisonment. The District Judge (Mr. Turner) in his report recommended that the late District Munsif, Mr. V. Bappu, be held responsible for the sums embezzled and be called upon to refund the amount (Rupees 1,005-0-9). The High Court agreed with the District Judge in this recommendation. The net amount to be made good to suitors was Rupees 882-8-5, and as the Courts are responsible to suitors for sums deposited by them, the Government

were asked to issue orders in the Financial Department crediting the District Munsif's Court of Shernad with the net sum abovementioned. The Government accepted the views of the High Court and in their Order dated 22nd December 1882, No. 2,223, Mis., directed the Accountant General to arrange for placing to the credit of the Court of the District Munsif of Shernad the sum of Rupees 882-8-5 to be recovered from the District Munsif in twelve equal monthly instalments.

Temporary holding of the Cocanada Sub-Court at Rajahmundry.

572. On 10th February 1882, Mr. J. F. Snaith, Officiating District Judge, Godavari, forwarded to the High Court a letter from the Subordinate Judge of Cocanada asking the sanction of the Court to his proposal to sit at Rajahmundry during the recess for the disposal of referred Appeals. The number of Appeals referred by the District Judge to the Subordinate Judge was 350. Mr. Snaith represented that, if the proposal be not sanctioned, the Court would be threatened with a dead-lock. The High Court, though of opinion that the expedient was open to objection on the score of overtaxing the energies of a most willing and capable Subordinate Judge, accepted the proposal and requested Government to sanction, under Act III of 1873, Section 5, Mr. K. Krishnaswami Rao's holding Court at Rajahmundry during the vacation. It was stated that, if these special measures were not taken to dispose of the arrears which had accumulated in the District Court, it might become necessary to appoint at least temporarily an Additional Subordinate Judge for the Godavari District. The Government in their Order dated 2nd March 1882, No. 251, Mis., sanctioned the proposal.

Records.

573. Rules framed by the High Court under Act III of 1879, after being approved of by Government and confirmed by the Government of India, were promulgated for the observance of the Subordinate Courts on 16th August 1882. The reports of the District Judges as to the state of the records in their Districts are generally satisfactory, and much progress has been made in the selection and destruction of useless records. The following are the detailed reports :—

574. In the District Court of Arcot (North), there was much work done in the way of destroying old and useless records. In the District Court of Arcot (South), the records disposed of by the Lower Courts up to the end of 1877 and those of appeals disposed of up to the end of 1878 have been destroyed. The District Judge of Bellary reports that the records of the District and other Courts are in order. In the District Court of Canara (South), 236 dufters were sorted and arranged for destruction and retention. In the Chingleput District Court, the records are well arranged and kept neatly, but the progress in destroying rubbish was far from satisfactory. In Cuddapah, the records are now being sorted very diligently according to the new instructions, and the record-room is day by day being cleared of the old and useless records. In Ganjam, the work of destruction of records has been progressing. In the Godavari District, very considerable progress has been made in the destruction of useless records. In the Kistna District, the temporary establishment of two Clerks sanctioned for the sorting of the old records worked until the end of 1882. The state of the records was satisfactory in all the Courts of Kurnool. In Malabar (North and South), the records of the District Court are kept in good condition. In Salem, upon the receipt of the High Court Rules regulating the destruction of records, the records, &c., in which the prescribed periods had expired were destroyed. In Tanjore (North), the records are reported in all the Courts to be in a good condition, the same being properly arranged and well secured. The destruction of records according to Rules was also fairly carried out. In Tinnevelly, the District Court records are in excellent order : the records up to the end of 1878 have been assorted and destroyed.

Libraries.

575. The reports of the District Judges give the following information as to the condition of the Court Libraries.

576. In Arcot (South), the libraries are in good order and lists are kept of books received from time to time. In Bellary, the books in the Court library are carefully preserved. In Canara (South), the Court library is in good order. The libraries of all the Courts in Cuddapah are properly kept. The

libraries in the District Munsifs' Courts of Ganjam are stated to consist of little else than the present series of Law Reports,—the High Court Reports not having been supplied. Inquiry will be made as to this statement. The library of the District Court is properly preserved. In Kistna, the Law books supplied are certified to be in good order in the District Court and in the Courts of the District Munsifs. In Kurnool, the state of the libraries was satisfactory in all the Courts. In Madura, there is a Bar library constituted in the latter part of 1873. Originally the District Court books were transferred to the library on condition of their being returned to the Court in the event of the library being dissolved. Many other valuable books have since been purchased and all have been catalogued and kept in good order. The original donations amounted to Rupees 858-5-0. The collections for the library for the ten years ending 1882 show an average income of Rupees 431 per annum. In Malabar (North and South), the libraries of the District Courts are kept in good condition. In Salem, the Bar and Court libraries continue to be in very good order. A large number of new books were added to the Bar library during the year. In Tanjore (North), the libraries are reported in all the Courts to be in a good condition. In Tinnevelly, there is no library attached to the District Court. The Bar library, which was established in 1874 is in a fairly prosperous condition. In Vizagapatam, a library has been established in connection with the Court. Donations amounting to Rupees 3,040 have been received. There are 12 first class subscribers on Rupees 3 a-month, and 11 second class subscribers on Rupees 1-8-0 a-month. A large number of volumes, many of them well bound in calf, are already on the shelves. The libraries are well kept in all the District Munsifs' Courts.

Securities.

577. Satisfactory reports have been received from all the Districts in regard to the securities tendered by the Court servants. The securities have been tested in compliance with the Court's Standing Order (23rd February 1881), and in no case have they been found inadequate.

Copyists.

578. In last year's Report, para. 524, detailed information was given in regard to the number and monthly earnings of the copyists in the several Courts. It seems unnecessary to continue this information in the present Report, as the year 1883 will see the introduction of a new system of regular copyists. The Rules of the High Court on the subject of copyists' establishments were promulgated on 7th December 1882, but their operation was necessarily postponed to an advanced period in the succeeding year.

579. The Legal Practitioners' Act, which it had long been contemplated to introduce into the Madras Presidency, was brought into force on 1st April 1882. Rules under Sections 6, 7 and 27 of the Act were framed by the High Court, and were, with the sanction of Government, promulgated on 13th March previous. During the year 2,433 Pleadership's Certificates under the Act were issued. Of these, 544 were for first grade and 1889 for second grade.

580. The amount of admission fees realized was Rupees 13,253, and the amount of stamp fees realized was Rupees 40,400. The total income, therefore, amounted to Rupees 53,653.

Inspection.

581. The inspection of the subordinate Courts has not in most Districts been carried out to a satisfactory extent. The District Judges were made aware, in connection with last year's Report, of the great importance which the Government and the Court attached to the duty of inspection. In the future, the High Court will expect and require better results in this class of work. The details are as follows:—

582. The District Judge of Arcot (North) inspected the Courts of the District Munsifs of Vellore, Sholinghur and Palmanair.

583. In Arcot (South), there had been no inspection of the Subordinate Courts in 1882 prior to 12th December, when Mr. Hope assumed charge of the District Court. Before the end of the year, only one Court was inspected. The District Judge of Bellary inspected the District Munsif's Court of Adoni and the Courts of the Subordinate Judge and the Bellary District Munsif. In Canara (South), the Courts were not inspected during the year. In Chingleput also, no

Court was inspected. The District Judge of Coimbatore inspected the Subordinate Judge's Court of the Nilgiris in September 1882. In Cuddapah, no Munsif's Court was inspected during the year. The District Judge of Ganjam inspected all the Munsifs' Courts in the District. None of the District Munsifs' Courts in Kistna were inspected by the District Judge, the reason assigned being that there was a very large amount of original work which wholly prevented the Judge from leaving the station. In the Kurnool District, the Courts of the Munsifs of Cumbum and Nandiyal were inspected in January, and that of Kurnool in February. In Madura, the District Judge was unable from pressure of work to inspect the Subordinate Courts during the year. In Malabar (North), there was no inspection of the Lower Courts. In Malabar (South), the Courts of the District Munsifs of Calicut, Nedunganad, Palghuat and Temalpuram were inspected during the year. The Nellore District Munsif's Court was inspected in February 1882. Owing to pressure of work, the District Judge of Salem inspected only the Hosur and Salem Munsifs' Courts. In Tanjore (North,) the inspection of Subordinate Courts was not practicable in the year under review on account of the frequent changes of Judges. In Tanjore (South), the District Munsifs' Courts of Tiruvadi, Kumbhakonam and Valangiman were inspected by the District Judge. In Tinnevelly, the Courts were not inspected in 1882 owing to prolonged Sessions and heavy Original Suits. The District Munsifs' Courts of Trichinopoly and Kulittalai were inspected during the year. The District Judge of Vizagapatam inspected all the six District Munsifs' Courts during the year.

HIGH COURT OF JUDICATURE
MADRAS,
5th September 1883.

GORDON MACKENZIE,
Offg. Registrar,
Appellate Side.

APPENDIX.

I.—Imperial Statements.

JUDICIAL STATEMENT No. I.—(Civil and Criminal.)

Statement showing the number of Judicial Divisions and the number of Officers exercising Appellate or Original Jurisdiction in the Province of Madras on the last day of the year 1882, with the cost of Tribunals.

Province of Madras.		Area.	Population.	Number of Divisions for Courts under Chief Court, but superior to Chief Courts of Districts.	Number of Districts.	Number of Sub-Districts.	Total Number of Officers Exercising Jurisdiction.					Total Number of Cases Decided.				Total Receipts of the Courts.	Total Charges of the Courts.	Remarks.
							Judges of Chief Court of Province.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of Districts.	Judges of District Courts other than Chief Courts.	Judges of other Subordinate Courts.	Original.		Appeal.				
												Regular.	Miscellaneous.	Regular.	Miscellaneous.			
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Territory subject to the High Court.	Civil ...	138,318	...	...	25	128	...	...	...	27	144	173,533	394,589	8,502	894	...	...	
	Criminal..		30,868,504	...	25	355	5	...	...	24	660	148,208	36,542	...	696	35,16,303	32,63,304	
	Revenue..		...	...	21	93	...	...	...	21	93	4,729	2,592	...	...	...	...	
Territory not subject to the High Court.	Civil ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Criminal..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Revenue..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total...		138,318	30,868,504	...	24	192	5	...	...	45	764	326,470	433,723	...	1,590	35,16,303	32,63,304	

N. B.—This Statement does not exhibit Village Munsiffs.

JUDICIAL STATEMENT No. 1.—(Civil and Criminal.)—(Supplement.)

Statement showing separately the number of European and Native Judicial officers of each Grade exercising Appellate or Original Jurisdiction in the Province of Madras for the year 1882.

COURTS.	Original Powers.			Appeal Powers.			Grand Total.			Remarks.
	European.	Native (including Eurasian).	Total.	European.	Native (including Eurasian.)	Total.	European.	Native (including Eurasian.)	Total.	
High Court Judges	4	1	5	4	1	5	4	1	5	
Presidency Small Cause Court Judges...	1	2	3	...	...	...	1	2	3	
District and Sessions Judges ...	21	...	21	21	...	21	21	...	21	
Subordinate Judges	2	13	15	2	13	15	2	13	15	
District Munsifs	...	111	111	...	...	...	...	111	111	
District Magistrates... ...	21	...	21	21	...	21	21	...	21	
Sub-Collectors and Joint Magistrates	15	...	15	15	...	15	15	...	15	
Assistant Magistrates ...	39	3	42	39	3	42	39	3	42	
Deputy Magistrates... ...	3	33	36	3	33	36	3	33	36	
Cantonment Magistrates ...	2	...	2	...	...	...	2	...	2	
Presidency Magistrates ...	1	3	4	...	...	...	1	3	4	
Other paid Magistrates ...	...	498	498	...	...	...	...	498	498	
Bench Magistrates	...	41	41	...	...	...	...	41	41	
Total ...	109	705	814	105	50	155	109	705	814	

JUDICIAL STATEMENT No. 7—(CIVIL.)

STATEMENT showing the Number and Description of Civil Suits instituted in the Civil and Revenue Courts in the Province of Madras in the Year 1882.

CLASS OF TRIBUNALS.	SUITS FOR MONEY OR MOVEABLE PROPERTY.										SUITS UNDER THE RENT LAW.								TITLE AND OTHER SUITS.															GRAND TOTAL.	REMARKS.
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work and materials.	Breach of contract not mentioned above.	Rent not falling under the Rent Law.	Moveable property or value thereof.	Damages.	Arrears of rent with or without ejectment or cancelment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damages for extortion or withholding receipts, or on account of illegal restraint, or other cause.	For puttahs or kabulyats.	For ejectment or recovery of possession.	For recovery of money or accounts from agents.	All other suits under the Rent Law not included above.	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Interpleader suits.	Dissolution of partnership.	Suits under Section 261, Act X of 1865 (also Hindu Wills Act).	Other suits not falling under any of the previous heads.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	
COURTS IN THE INTERIOR.																																					
I.—CIVIL COURTS.																																					
Unpaid Tribunals	...	...	...	...	..	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Village Courts	4,866	23,351	7,040	3,633	4,306	593	408	992	1,731	27	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	46,947	
Paid Sub-Divisional Tribunals ...	64,702	15,490	9,294	2,096	3,133	547	770	9,382	3,104	1,116	...	...	...	...	...	...	...	...	16,292	740	284	18,077	507	54	60	347	18	69	810	5	29	3	5	19	...	591	1,47,544	
Small Cause Courts (at the Cantonments)	31	3	15	276	67	18	2	19	21	35	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	487	
District Courts other than Chief Courts of Districts	92	3	5	7	1	...	...	...	1	3	...	...	...	...	...	...	...	...	34	15	17	38	7	12	9	1	4	...	14	...	...	...	...	25	...	12	300	
Chief Courts of Districts ..	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ..	69,691	38,847	16,354	6,012	7,507	1,158	1,180	10,393	4,857	1,181	...	..	...	...	...	...	...	...	16,326	755	301	18,115	514	66	69	348	22	69	824	5	29	3	5	44	...	603	1,96,378	
II.—REVENUE COURTS.																																					
Unpaid Local Tribunals	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts ...	...	...	...	...	..	...	...	...	...	...	...	...	1,127	84	3,907	77	110	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
District Courts	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...	..	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	5,305	
Total...	...	...	...	...	...	...	...	...	...	...	...	...	1,127	84	3,907	77	110	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5,305	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																																					
Presidency Small Cause Court ...	8,188	1,356	1,380	1,976	5,717	301	21	1,691	412	39	...	...	...	...	...	...	...	...	215	...	..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	21,296	
Superior Courts	104	4	5	34	8	...	9	1	7	12	...	...	...	...	...	...	...	...	22	5	10	88	8	18	4	9	4	1	9	5	...	6	1	16	3	14	407	
Total...	8,292	1,360	1,385	2,010	5,725	301	30	1,692	419	51	...	...	...	...	...	...	...	...	237	5	10	88	8	18	4	9	4	1	9	5	...	6	1	16	3	14	21,703	
Grand Total...	77,983	40,207	17,739	8,022	13,232	1,459	1,210	12,085	5,276	1,232	...	...	1,127	84	3,907	77	110	..	16,563	760	311	18,203	522	84	73	357	26	70	833	10	29	9	6	60	3	617	2,22,284	

JUDICIAL STATEMENT No. 8—(CIVIL.)

STATEMENT showing Number and Value of Suits instituted in the Civil and Revenue Courts in the Province of Madras in the Year 1882.

VALUE OF SUITS.	NUMBER OF SUITS INSTITUTED IN THE DIFFERENT COURTS.									Total Value of Suits.	Remarks.
	Not exceeding Rs. 10.	Ditto Rs. 50.	Ditto Rs. 100.	Ditto Rs. 500.	Ditto Rs. 1,000.	Ditto Rs. 5,000.	Ditto Rs. 10,000.	Exceeding Rs. 10,000.	Number of Suits the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
COURTS IN THE INTERIOR.											
I.—CIVIL COURTS.											
Unpaid Tribunals	...	...	...	...	...	...	...	...	...	...	
Village Courts	46,166	706	71	3	1	...	...	...	...	2,78,328	
Paid Sub-Divisional Tribunals	17,488	68,932	26,133	28,981	3,270	1,926	110	77	627	1,91,36,519	
Small Cause Courts (at the Cantonments)	159	241	45	42	...	...	...	...	...	17,909	
District Courts other than Chief Courts of Districts	3	12	19	35	15	115	40	34	27	26,52,885	
Chief Courts of Districts	...	...	...	...	...	...	...	...	...	...	
Total...	63,816	69,891	26,268	29,061	3,286	2,041	150	111	654	2,20,85,641	
II.—REVENUE COURTS.											
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	1,576	2,562	651	478	24	12	...	...	2	2,38,661	
Collectors' Courts	...	...	...	...	...	...	...	...	...	...	
Total...	1,576	2,562	651	478	24	12	...	...	2	2,38,661	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.											
Presidency Small Cause Court	9,949	8,127	1,698	1,326	159	37	...	...	...	8,04,445	
Superior Courts	...	1	2	22	39	193	45	50	55	24,06,000	
Total...	9,949	8,128	1,700	1,348	198	230	45	50	55	32,10,445	
Grand Total...	75,341	80,581	28,619	30,887	3,508	2,283	195	161	711	2,55,34,747	

JUDICIAL STATEMENT No. 9—(CIVIL).

STATEMENT showing the General Result of the Trial of Civil and Revenue Cases in the Courts of Original Jurisdiction in the Province of Madras in the Year 1882.

PART I.—CIVIL SUITS.

Class of Courts.	Total Number of Suits before the Courts.	NUMBER OF SUITS DISPOSED OF.										Pending at the close of the Year.	Number of Cases pending more than three Months at the close of the Year.	AVERAGE DURATION OF SUITS.		Remarks.
		Transferred to Courts in other Provinces.	Without Trial.	WITHOUT CONTEST.				ON REFERENCE TO ARBITRATION.		WITH CONTEST.				Contested.	Uncontested.	
				Compromised.	Decreed on Confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	For Plaintiff.	For Defendant.	Judgment for Plaintiff in whole or in part.	Judgment for Defendant.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—CIVIL COURTS.																
Unpaid Tribunals	.	...	...	...	..	...	...	...	...	...	...	..	..	...	...	
Village Courts	52,168	...	8,972	10,110	11,516	9,467	611	140	24	5,075	1,322	4,931		...	...	
Paid Sub-divisional Tribunals ..	1,75,706	...	19,696	31,534	12,591	37,847	3,252	303	64	32,678	11,651	26,090	7,626	100	66	
Small Cause Courts (at the Cantonments).	516	...	90	12	139	106	27	...	...	93	21	28	12	11	8	
District Courts other than Chief Courts of Districts	621	...	38	47	11	49	...	4	...	93	69	210	126	265	131	
Chief Courts of Districts	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	
Total...	2,28,911	...	28,796	41,703	24,257	47,469	3,890	447	88	37,939	13,063	31,259	7,764	...	..	
II.—REVENUE COURTS.																
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	7,085	...	1,105	280	54	462	69	9	49	1,597	1,104	2,356	1,743	124	128	
District Courts	...	...	...	..	...	..	...	...	...	...	...	...	..	...	...	
Total...	7,085	...	1,105	280	54	462	69	9	49	1,597	1,104	2,356	1,743	..	...	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Presidency Small Cause Court ...	24,746	..	1,906	6,527	1,589	9,202	35	10	2	2,802	835	1,836	558	52	45	
Superior Courts	636	...	93	.	23	71	5	1	..	125	52	266	146	148	88	
Total...	25,382	..	2,001	6,527	1,612	9,273	40	11	2	2,927	887	2,102	704	..	...	
Grand Total	2,61,378		31,902	48,510	25,923	57,204	3,999	467	139	42,463	15,054	35,717	10,211	.	...	

JUDICIAL STATEMENT No. 9—(CIVIL).

STATEMENT showing the General Result of the Trial of Civil and Revenue Cases in the Courts of Original Jurisdiction in the Province of Madras in the Year 1882.

PART II.—MISCELLANEOUS CASES (JUDICIAL.)

Class of Courts.	Total Number of Suits before the Courts.	NUMBER OF SUITS DISPOSED OF.										Pending at the close of the Year.	Number of Cases pending more than three Months at the close of the Year.	AVERAGE DURATION OF SUITS.		Remarks.
		Transferred to Courts in other Provinces.	Without Trial.	WITHOUT CONTEST.				ON REFERENCE TO ARBITRATION.		WITH CONTEST.				Contested.	Uncontested.	
				Compromised.	Decreed on Confession.	Decreed *ex parte*.	Dismissed *ex parte*.	For Plaintiff.	For Defendant.	Judgment for Plaintiff in whole or in part.	Judgment for Defendant.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.																
I.—CIVIL COURTS.																
Unpaid Tribunals.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Village Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Paid Sub-Divisional Tribunals ...	2,33,297	...	9,483	5,919	19,337	1,48,746	8,368	29	7	24,385	12,539	4,534	551	25	4	
Small Cause Courts (at the Cantonments)...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
District Courts	9,611	...	1,131	50	432	5,272	639	2	...	833	666	586	62	47	16	
Total...	2,42,908	...	10,564	5,969	19,769	1,54,018	9,007	31	7	25,218	13,205	5,120	613	26	9	
II.—REVENUE COURTS.																
Unpaid Local Tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	2,267	...	561	68	317	893	30	...	3	133	59	203	30	39	29	
Collectors' Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...		
Total...	2,267	...	561	68	317	893	30	...	3	133	59	203	30	...	...	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																
Presidency Small Cause Court ...	765	..	28	3	2	552	27	...	...	79	39	35	...	11	2	
Superior Courts	2,680	...	420	70	290	570	211	...	...	501	210	408	...	...	...	
Total...	3,445	...	448	73	292	1,122	238	...	...	580	249	443	...	...	..	
Grand Total ...	2,48,620	...	11,573	6,110	20,378	1,56,033	9,275	31	10	25,931	13,513	5,766	643	...	...	

JUDICIAL STATEMENT No. 10—(CIVIL).

STATEMENT showing the Business of the Civil Appellate Courts of the Province of Madras in the Year 1882.

PART I.—APPEALS FROM DECREES.

Class of Courts.	Total Number of Appeals before the Courts.	Transferred to Courts in other Provinces.	Appeals summarily Rejected.	Dismissed for default or otherwise not prosecuted.	Heard ex-parte.				Contested.				Pending.	Of these pending more than three months.	Average duration of Appeals.	Objections under Section 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
Appeals from Original decrees ...																	
A.—CIVIL COURTS.																	
Chief Appellate Courts other than Chief Courts of Districts ...	3,358	...	3	148	75	28	22	4	1,509	363	503	154	549	81	95	124	
Chief Appellate Courts of Districts	6,844	...	56	220	131	29	38	9	2,518	537	825	190	2,291	924	134	136	
Superior Appellate Courts other than Chief Court of Province	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total...	10,202	...	59	368	206	57	60	13	4,027	900	1,328	344	2,840	1,005	...	260	
B.—REVENUE COURTS.																	
Collectors' Appellate Courts ...	...	...	...	...	...	..	...	...	...	...	...	...	...	...	...	...	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																	
Chief Court of Province ... Appeals from Original decrees.	354	...	2	12	5	...		...	57	40	27	15	187	142	366	9	
Chief Court of Province ... Appeals from Appellate decrees.	1,695	...	68	48	52	4	14	14	482	79	126	86	722	475	212	6	
Total...	2,049	...	70	60	57	4	23	14	539	119	153	101	909	617	...	15	
Grand Total...	12,251	...	129	428	263	61	83	27	4,566	1,019	1,481	445	3,749	1,622	...	275	

JUDICIAL STATEMENT No. 10—(Civil).

Statement showing the Business of the Civil Appellate Courts of the Province of Madras in the Year 1882.

Part II—Miscellaneous Appeals.

Class of Courts.	Total Number of Appeals before the Courts.	Transferred to Courts in other Provinces.	Appeals summarily Rejected.	Dismissed for default or otherwise not prosecuted.	Heard ex-parte.				Contested.				Pending.	Of those pending more than three months.	Average duration of Appeals.	Objections under Section 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
Appeals from original decrees.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of Districts ...	34	...	6	...	...	1	2	...	5	4	8	1	7	...	55	...	
Chief Appellate Courts of Districts	717	...	73	36	81	4	29	2	249	30	11	36	62	3	55	3	
Superior Appellate Courts other than Chief Court of Province ..	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total...	751	...	79	36	81	5	31	2	254	34	123	37	69	3	...	3	
B.—Revenue Courts.																	
Collectors' Appellate Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																	
Chief Court of Province ... Appeals from Original decrees.	226	...	14	9	11	...	1	...	67	6	39	...	79	38	177	5	
Chief Court of Province ... Appeals from Appellate decrees.	65	...	2	1	2	...	1	1	33	...	4	4	17	6		2	
Total...	291	...	16	10	13	...	2	1	100	6	43	4	96	44	...	7	
Grand Total...	1,042	...	95	46	94	5	33	3	354	40	166	41	165	47	...	10	

JUDICIAL STATEMENT No. 11—(CIVIL).

Statement showing the Result of Proceedings on Applications for the Execution of the Decrees of the Civil and Revenue Courts in the Province of Madras in the Year 1882.

Class of Courts.	Total Number of Applications for the execution of Decrees before the Courts.	APPLICATIONS DISPOSED OF.				Pending at the end of the Year.	Number of Applications pending more than three Months at the close of the Year.	AMOUNT REALIZED		NUMBER OF APPLICATIONS.												Remarks.
		By Transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly Infructuous.			With the issue of Process.	Without the issue of Process.	On which the judgment debtor was imprisoned.	On which he was arrested, but released without imprisonment.	On which Moveable Property		On which Immoveable Property.			On which Possession was given.		On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than in the preceding columns.	
												Was Sold.	Was attached, but subsequently released.	Was Sold.	Was dealt with under Sections 305, 322, or 326, Act XIV of 1882.	Was attached, but subsequently released under Section 275.	Of Moveables.	Of Immoveables.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
COURTS IN THE INTERIOR.																						
I.—CIVIL COURTS.																						
Unpaid Tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Village Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Paid Sub-Divisional Tribunals	1,26,839	3,254	32,366	20,473	49,771	20,975	...	29,31,946	33,30,159	684	7,690	2,386	2,456	8,742	390	2,544	103	6,002	504	57	53,562	
Small Cause Courts (Cantt.)	198	6	97	87	8	...	...	2,595	603	5	67	4	108	...	...	...	...	...	...	...	...	
District Courts other than Chief Courts of Districts	847	51	296	98	132	270	...	2,12,194	23,794	9	59	30	15	61	3	16	17	30	...	2	207	
Superior Courts... ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total...	1,27,884	3,311	32,759	20,658	49,911	21,245	...	31,46,735	33,54,556	698	7,816	2,420	2,579	8,803	393	2,560	120	6,032	504	59	53,769	
II.—REVENUE COURTS.																						
Unpaid Local Tribunals...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts.	513	...	9	12	14	89	...	3,006	447	...	...	6	11	5	...	...	3	24	2	...	328	
District Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total...	513	...	393	12	14	89	...	3,006	447	...	...	6	11	5	...	...	3	24	2	...	328	
COURTS AT THE PRESIDENCY OR SEAT OF GOVERNMENT.																						
Presidency Small Cause Court	14,102	170	6,680	515	4,333	2,404	872	64,596	80,784	390	711	293	378	...	...	...	...	27	...	...	9,729	
Superior Court	208	...	87	14	23	84	55	...	...	7	10	6	...	49	...	...	1	35	...	...	16	
Total...	14,310	170	6,767	529	4,356	2,488	927	64,596	80,784	397	721	299	378	49	...	...	1	62	...	...	9,745	
Grand Total...	1,42,707	3,481	39,924	21,199	54,281	23,822	927	32,14,337	34,35,787	1,095	8,537	2,725	2,968	8,857	393	2,560	124	6,118	506	59	63,842	

JUDICIAL STATEMENT No. 12—(CIVIL).

STATEMENT showing the Number and Result of Applications and Proceedings under Chapter XX, Act XIV of 1882, in the Province of Madras in the Year 1882.

CLASS OF COURTS.	APPLICATIONS FOR A DECLARATION OF INSOLVENCY.								Number of Insolvents discharged during the Year under Section 355.	Number of Insolvents' Estates in the hands of Receivers in which Proceedings were finally closed during the Year.	AMOUNT OF CREDITORS' CLAIMS DEALT WITH DURING THE YEAR.		GROSS AMOUNT OF INSOLVENTS' ASSETS REALIZED AND DISBURSED.		Remarks.
	Total Number for Hearing.	Transferred to another Province, Withdrawn, &c.	GRANTED.		REJECTED.			Pending at the close of the Year.							
			A Receiver being appointed.	A Receiver not being appointed.	Penal Proceedings under Section 359 not being taken.	Sentence of Imprisonment being passed under Section 359.	Applicant being sent to the Magistrate to be dealt with.				Admitted.	Satisfied.	Realized during the Year.	Disbursed during the Year.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Courts other than Chief Courts of Districts* ...	666	254	11	134	141	11	2	113	11	15	129,489	36,111	18,024	11,449	
Chief Courts of Districts	21	6	1	7	3	1	...	3	1	...	2,636	...	9	...	
Superior Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	687	260	12	141	144	12	2	116	12	15	132,125	36,111	18,033	11,449	

* Specially empowered under Section 360, Act XIV of 1882.

JUDICIAL STATEMENT No. 13—(CIVIL AND CRIMINAL).

STATEMENT showing Use of Juries and Assessors in the Civil and Criminal Courts in the Province of Madras in the Year 1882.

Classes of Courts in which Jurors or Assessors are employed distinguishing Criminal from Civil Courts.		Established or Average Number of Jury or Assessors in each case, and prescribed qualifications.	Number of Cases tried by Jury.	Number of Cases tried with Assessors.	JURY TRIALS.					ASSESSORS' TRIALS.			Remarks.
					Cases in which the Judge approved of the verdict.	CASES IN WHICH THE JUDGE DID NOT APPROVE OF THE VERDICT.		NUMBER OF PERSONS THE VERDICT IN RESPECT TO WHOM THE JUDGE DISAPPROVED.		Number of Cases in which Judge agreed with Assessors.	NUMBER OF CASES IN WHICH JUDGE DIFFERED FROM		
						Wholly.	Partially.	Whose cases he referred under Section 263, C. P. C.	Whose cases he did not refer under Section 263, C. P. C.		One Assessor.	Both Assessors.	
1		2	3	4	5	6	7	8	9	10	11	12	13
I—CIVIL COURTS.													
Chief Courts of Districts (or officers specially empowered) acting under Act X of 1870. *	Assessors.	2	...	5	...	...	...	...	...	3	1	1	

* The Criminal part of this statement will be found in the Appendix to the Report on Criminal Justice for 1882.

APPENDIX.

II.—Special Statements.

I.—STATEMENT showing the number of Suits and Appeals instituted, disposed of and pending and of Petitions and Criminal cases disposed of in the District Courts (excluding the Agency Courts) in 1882.

DISTRICT COURTS.	CIVIL.										CRIMINAL.		REMARKS.
	ORDINARY AND SUMMARY SUITS.				APPEALS.				PETITIONS DISPOSED OF.				
	Instituted.	Disposed of.	Pending.	Percentage of arrears to institutions.	Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Execution.	Miscellaneous.	Trials.	Appeals & Revision cases.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Arcot (North) ...	24	23	12	50·00	216	171	82	37·96	70	277	102	11	
Arcot (South) ...	...	1	1	...	253	106	45	17·79	2	103	64	37	
Bellary	4	4	6	150·00	173	74	7	40·46	12	224	88	29	
Canara (South) ...	...	2	...	...	443	182	143	32·38	...	407	44	15	
Chingleput ...	16	17	15	93·75	320	379	155	47·11	119	412	49	10	
Coimbatore ...	16	25	5	31·25	203	249	19	9·36	48	262	58	14	
Cuddapah ...	19	15	12	63·16	211	158	101	47·87	32	399	44	23	
Ganjam ...	18	23	10	55·56	182	212	61	33·52	26	288	56	23	
Godavari ...	39	26	46	117·95	462	105	149	32·25	63	688	84	26	
Kistna ...	37	55	21	56·76	288	246	195	67·71	89	547	36	11	
Kurnool ...	11	10	4	36·36	45	50	...	...	21	82	31	18	
Madura ...	2	4	3	150·00	364	299	64	17·58	32	493	107	32	
Malabar (North)...	1	4	1	100·00	502	234	206	41·04	4	1,572	34	14	
Do. (South) ...	1	1	...	...	1,092	491	91	83·33	9	432	75	36	
Nellore ...	30	13	39	130·00	161	84	149	92·55	30	355	47	19	
Salem ...	13	37	4	30·77	293	244	159	54·27	48	517	80	32	
Tanjore (North) ...	8	5	5	62·50	218	179	109	50·00	13	319	46	5	
Do. (South) ...	1	3	2	200·00	415	292	101	24·34	2	391	38	22	
Tinnevelly ...	2	5	7	350·00	498	166	144	28·92	22	530	89	5	
Trichinopoly ...	38	33	14	36·84	439	308	242	55·13	65	383	61	28	
Vizagapatam ...	3	1	3	100·00	400	315	66	16·50	22	344	35	26	
Total...	283	307	210	74·21	7,187	4,544	2,288	31·88	729	9,025	1,268	436	

II.—STATEMENT showing the number of Ordinary Suits, Appeals and Small Causes, instituted, disposed of and pending and of Petitions disposed of in the Subordinate Judges' Courts (excluding Courts of Assistant Agents) in 1882.

SUBORDINATE JUDGES' COURTS.	ORDINARY AND SUMMARY SUITS.				APPEALS.				SMALL CAUSES.				PETITIONS DISPOSED OF.		REMARKS.
	Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Execution.	Miscellaneous.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Arcot, South, (Cuddalore)..	10	97	12	120·00	...	80	57	...	982	1,004	118	12·02	1,187	1,053	
Bellary	49	58	27	55·10	...	123	46	...	459	468	58	12·64	528	554	
Canara, South, (Mangalore)..	47	45	20	42·55	...	330	40	...	...	...	...	...	94	485	
Godavari (Cocanada) ...	30	30	11	36·67	103	589	185	...	929	970	85	9·15	922	1,650	
Madura { East ...	60	54	22	36·67	...	37	3	...	667	717	55	8·24	1,379	1,258	
Madura { West ...	25	17	24	96·00	...	70	...	...	706	634	178	25·21	1,116	1,453	
Malabar N. (Tellicherry) ...	42	37	30	71·43	...	336	35	...	1,475	1,653	70	47·46	1,581	1,936	
Malabar South. { Calicut ...	61	62	25	49·84	...	469	104	...	343	327	37	10·89	456	1,554	
Malabar South. { Cochin ...	60	56	12	20·00	...	51	15	...	405	401	22	5·43	462	532	
Nilgiris (Ootacamund) ...	116	137	45	38·79	...	...	...	...	321	348	40	12·46	259	255	
Tanjore, North (Negapatam)	82	105	35	42·68	..	75	12	...	1,950	1,922	237	12·15	1,891	3,173	
Do. (South) { Kumbhakonam ...	20	44	14	70·00	...	59	1	...	1,100	1,066	168	15·27	977	1,312	
Do. (South) { Tanjore ...	98	104	25	25·51	...	81	4	...	838	832	141	16·83	981	1,605	
Tinnevelly	42	46	17	40·48	...	212	47	...	760	718	190	25·00	767	1,163	
Vizagapatam	49	72	...	...	...	293	...	...	345	551	...	...	174	346	
Total...	791	964	319	40·33	103	2,805	549	...	11,280	11,611	1,399	12·40	12,774	18,329	

III.—Statement showing the Number of Ordinary Suits and Small Causes instituted, disposed of and pending and of Petitions disposed of in the Courts of District Munsifs (excepting those in the Agency Tracts), in 1882.

DISTRICT	MUNSIF'S COURTS.	Ordinary Suits.				Small Causes.				Petitions disposed of.		REMARKS.
		Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Execution.	Miscellaneous.	
1		2	3	4	5	6	7	8	9	10	11	12
North Arcot.	Vellore ...	709	722	205	29·00	702	730	76	10·83	1,278	1,833	
	Sholinghur ..	799	837	100	12·52	458	457	24	5·24	924	1,434	
	Tirupati ...	591	951	10	1·70	930	1,111	...	...	1,302	1,793	
	Arni ...	780	769	539	69·10	606	627	51	8·41	1,130	2,619	
	Palamanér ...	342	368	73	21·35	182	193	14	7·69	497	666	
	Total ..	3,221	3,647	927	28·78	2,878	3,118	165	5·73	5,131	8,375	
South Arcot.	Cuddalore ...	653	705	83	12·71	936	923	56	5·98	1,801	1,670	
	Chidambaram ...	727	773	206	28·34	551	558	45	8·17	1,273	1,969	
	Villupuram ...	791	706	342	43·24	982	1,065	79	8·05	1,313	2,113	
	Virdachelam ...	644	563	256	39·75	536	524	69	12·87	694	3,340	
	Total...	2,815	2,747	887	31·51	3,005	3,070	249	8·28	5,081	9,092	
Bellary.	Bellary ...	294	311	90	30·61	442	496	32	7·24	922	970	
	Penukonda ...	506	499	81	16·01	243	246	23	9·47	950	453	
	Narsindavergiri...	345	348	114	33·04	112	113	6	5·36	351	890	
	Adoni ...	371	392	44	11·86	177	179	16	9·04	430	989	
	Gooti ...	528	489	140	36·70	271	281	28	10·33	760	547	
	Total...	2,044	2,039	469	22·94	1,245	1,315	105	8·43	3,413	3,849	
Canara, South.	Mangalore ...	555	528	186	33·51	546	551	38	6·96	896	1,811	
	Kassergode ...	370	387	143	38·65	284	283	21	7·39	571	1,226	
	Mulki ...	323	286	141	43·65	238	238	43	18·07	393	1,296	
	Udipi ...	473	470	106	22·41	398	407	38	9·55	830	1,693	
	Barkur ...	324	303	95	29·32	337	352	30	8·90	712	971	
	Kandapur ...	459	478	112	24·41	428	512	34	7 94	733	1,426	
	Bantwal ...	308	348	82	26·62	157	177	17	10·83	299	879	
	Puttur ...	361	365	113	31·30	204	225	12	5·88	419	1,793	
	Total...	3,173	3,165	978	30·82	2,592	2,745	233	8·99	4,853	1,1095	
Chingleput.	Chingleput ..	610	690	161	26·39	311	315	36	11·78	950	1,643	
	Trivullur ...	768	586	351	45·70	621	601	70	11·27	1,032	1,225	
	Poonamallee ...	739	694	298	40·60	586	568	67	11·79	1,489	2,080	
	Total...	2,117	1,970	810	38·07	1,518	1,484	173	11·39	3,471	4,948	
Coimbatore.	Coimbatore ...	752	647	327	43·48	439	443	18	4·16	794	1,032	
	Udamalpet ...	455	502	14	30·77	181	185	4	2·21	551	1,476	
	Erode ...	891	867	164	18·41	316	315	34	10·76	1,130	2,077	
	Karur ...	849	812	204	24·03	369	373	43	11·66	815	820	
	Kollegal ...	197	188	38	19·29	92	85	9	9·78	278	448	
	Gudalur ...	68	53	31	45 58	55	35	25	45·46	41	58	
	Total...	3,212	3,069	778	24·22	1,452	1,436	133	9·16	3,609	5,911	

III.—STATEMENT showing the number of Ordinary Suits and Small Causes instituted, disposed of and pending and of Petitions disposed of in the Courts of District Munsifs (excepting those in the Nilgiris and Agency Tracts), in 1882.—(*Continued.*)

DISTRICT MUNSIFS' COURTS.		ORDINARY SUITS.				SMALL CAUSES.				PETITIONS DISPOSED OF.		REMARKS.
		Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Execution.	Miscellaneous.	
1		2	3	4	5	6	7	8	9	10	11	12
Cuddapah.	Cuddapah ...	401	467	33	8·23	334	353	15	4·49	741	1,271	
	Vayalpad ...	171	175	36	21·05	165	154	22	13·33	342	758	
	Badwel ...	329	325	36	10 94	307	285	41	13 35	820	1,407	
	Kadiri ...	164	180	25	15 24	131	136	12	9·16	393	370	
	Nundalur ...	276	284	26	9·42	269	283	11	4·09	558	742	
	Prodatur ...	778	856	106	13·62	445	477	39	8 54	2,042	3,206	
	Total...	2,119	2,287	262	12·37	1,651	1,688	140	8·48	4,896	7,751	
Ganjam.	Berhampore ...	691	658	165	23·88	799	745	138	17·27	965	1,559	
	Chicacole ...	407	381	159	39·66	427	451	12	2·83	957	1,765	
	Aska ...	668	607	166	24·85	539	517	70	12·99	847	1,796	
	Tekkali ...	558	556	202	36·20	517	516	80	15 48	925	2,162	
	Total...	2,324	2,202	692	29·77	2,282	2,229	300	13·15	3,694	7,282	
Godavari.	Rajamundri ...	943	973	414	43·90	793	816	98	12·36	1,814	3,456	
	Cocanada ...	342	347	112	32·75	782	777	58	7 42	1,495	2,137	
	Peddapuram ...	300	316	30	10·00	733	742	20	2 73	1,912	2,048	
	Amalapuram ...	1,124	1,206	345	30·69	706	719	52	7·37	2,291	6,118	
	Narsapur ...	789	708	671	85·04	664	673	56	8·43	1,209	2,843	
	Ellore ...	640	591	519	81·09	518	543	87	16·79	976	3,643	
	Tanuku ...	771	593	724	93·90	507	538	65	12·86	940	3,444	
	Total...	4,909	4,734	2,815	57·34	4,703	4,808	436	9·27	10,637	23,689	
Kistna.	Guntoor ...	888	890	392	44 14	543	610	45	8·28	1,268	2,119	
	Bapatla ...	815	954	183	22·45	766	783	75	9·79	989	906	
	Karompudi ...	501	501	111	22·16	320	322	47	14·69	641	703	
	Masulipatam ...	1,125	1,309	205	18·22	1,501	1,547	50	3·33	2,479	2,164	
	Bazwada ...	514	614	185	35·99	639	652	28	4 38	859	2,706	
	Total...	3,843	4,268	1,076	27·99	3,769	3,914	245	6·50	6,236	8,598	
Kurnool.	Kurnool ...	405	417	30	74·07	209	218	11	5·26	573	965	
	Nundial ...	433	417	90	20·79	345	358	32	9·28	1,168	1,984	
	Kumbum ...	249	260	44	17·67	342	367	26	7·60	460	880	
	Total...	1,087	1,094	164	15·09	896	943	69	7·92	2,201	3,829	
Madura.	Madura ...	689	699	234	33·96	1,155	1,166	167	14·56	1,778	3,075	
	Tirumangalam ...	637	648	217	34·07	803	796	72	8·96	1,247	2,674	
	Sivaganga ...	559	591	184	32·92	960	1,000	76	7·91	1,752	2,951	
	Paramakudi ...	813	710	348	42·80	787	815	97	12 33	1,804	3,204	
	Dindigal ...	759	755	139	18·31	784	789	8	1·02	1,235	3,176	
	Palni Hills ...	24	20	4	16·67	27	27	...	...	8	35	
	Total...	3,481	3,423	1,126	32·34	4,516	4,593	420	9·30	7,824	15,115	

III.—STATEMENT showing the number of Ordinary Suits and Small Causes instituted, disposed of and pending, and of Petitions disposed of in the Courts of District Munsifs (excepting those in the Agency Tracts), in 1882.—(*Continued.*)

	DISTRICT MUNSIFS' COURTS.	Ordinary Suits.				Small Causes.				Petitions disposed of.		REMARKS.
		Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Execution.	Miscellaneous.	
	1	2	3	4	5	6	7	8	9	10	11	12
Malabar North.	Tellicherry ...	489	461	251	51·33	2,092	2,026	182	8·70	2,008	3,166	
	Kavvai ...	617	665	127	20·83	1,446	1,548	36	2·49	2,067	1,968	
	Badagara ...	795	790	176	22·14	1,906	1,849	107	5·61	3,250	4,203	
	Pynad ...	774	768	301	38·89	1,662	1,611	308	18 54	1,967	3,156	
	Chavacherry ...	537	537	159	29·61	1,243	1,262	92	7·40	1,656	2,742	
	Total ...	3,212	3,221	1,014	31·57	8,349	8,296	725	8 68	10,948	15,235	
Malabar South.	Calicut ...	851	887	264	31·02	1,716	1,689	102	5·94	3,342	2,661	
	Chavakad ...	716	750	109	15·22	774	762	51	6·59	1,563	1,202	
	Ernad ...	691	713	51	7·38	309	319	7	2·27	1,005	1,868	
	Palghat ...	1,068	1,037	269	25·19	1,082	1,039	98	9·06	2,570	1,689	
	Shernad ...	942	1,088	138	14·65	568	594	31	5·46	1,584	2,658	
	Betatnad ...	585	575	200	34·18	757	751	38	5 02	1,636	1,507	
	Kutnad ...	529	516	149	28·17	434	425	21	4·84	1,177	816	
	Nedunganad ...	576	561	77	13.37	564	565	35	6·21	1,117	1,359	
	Angadipuram ...	514	604	91	18 29	328	325	12	3 66	915	1,683	
	Temmalpuram ...	875	804	242	27·66	971	972	25	2·57	1,965	2,102	
	Anjengo ...	14	13	2	24·28	13	14	...	...	12	38	
	Vytheri ...	277	339	9	32·49	117	128	...	...	441	780	
	Total ...	7,638	7,887	1,604	22·00	7,633	7,583	420	5·50	17,327	18,358	
Nellore.	Nellore ...	1,012	939	266	26 28	714	708	57	7·98	1,768	1,082	
	Ongole ...	962	925	290	30·15	632	655	37	5·85	1,866	2,363	
	Kavali ...	648	632	91	14·04	494	479	49	9·92	1,256	1,338	
	Total ...	2,622	2,496	647	24·51	1,840	1,842	143	7·77	4,890	5,683	
Salem.	Salem ...	519	669	82	15·80	464	478	33	7 11	1,231	2,324	
	Namkal ...	844	826	196	23·22	523	548	28	5·35	984	2,684	
	Tirupatur ...	447	498	90	20·13	507	518	47	9·27	858	1,592	
	Hossur ...	203	237	30	14·77	146	148	8	5 42	571	794	
	Dharmapuri ...	573	557	63	11·00	457	473	17	3 72	1,842	2,694	
	Total ...	2,586	2,787	461	17·83	2,097	2,160	133	6·34	5,486	10,088	
Tanjore North.	Negapatam ...	386	383	139	36·01	687	664	76	11·63	791	2,523	
	Tranquebar ...	329	352	82	24·92	452	444	38	8·41	617	1,761	
	Mayavaram ...	266	265	29	10·90	669	669	18	2 70	812	1,118	
	Tiruvarur ...	400	404	49	12·25	839	829	19	2 26	922	1,179	
	Shyali ...	267	246	45	16·85	744	725	66	8·87	867	1,701	
	Tirutturaipundi...	396	383	67	16·92	635	606	75	11·81	714	1,305	
	Total ...	2,044	2,033	411	20·11	4,026	3,937	292	7·25	4,723	9,587	

III.—Statement showing the number of Ordinary Suits and Small Causes instituted, disposed of and pending and of Petitions disposed of in the Courts of District Munsifs (excepting those in the Agency Tracts), in 1882.—*Concluded.*

	DISTRICT MUNSIFS' COURTS.	Ordinary Suits.				Small Causes.				Petitions disposed of.		REMARKS.
		Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Instituted.	Disposed of.	Pending.	Percentage of arrears to Institutions.	Execution.	Miscellaneous.	
	1	2	3	4	5	6	7	8	9	10	11	12
Tanjore South.	Tanjore ...	334	294	157	47·06	939	933	131	13·95	1,065	2,135	
	Kumbhakonam...	377	365	165	43·77	1,200	1,227	87	7.25	1,425	2,191	
	Pattukota ...	826	817	69	8·35	635	676	33	5·19	1,534	2,520	
	Valangiman ...	376	325	182	48·40	877	880	46	5·24	907	1,360	
	Mannargudi ...	465	442	123	26·45	1,295	1,287	93	7·10	1,528	3,176	
	Tiruvadi ...	404	419	59	14·60	741	709	78	9·85	1,020	1,548	
	Tanjore Addl. ...	433	412	159	36·72	470	455	55	11·70	747	2,322	
	Total...	3,215	3,074	914	28·43	6,157	6,167	518	8.41	8,226	15,252	
Tinnevelly.	Tinnevelly ...	475	417	223	46·95	833	739	169	74·97	711	2,178	
	Srivillipattur ...	874	769	340	38·90	490	463	49	10·00	1,082	3,719	
	Ambasamudram.	614	612	195	31·76	1,115	1,160	20	1.79	958	3,476	
	Srivaikuntam ...	653	662	134	20·52	1,389	1,351	117	8·42	959	2,460	
	Tuticorin ...	641	614	169	26·37	601	588	55	7·15	798	1,624	
	Total...	3,257	3,074	1,061	32·27	4,428	4,301	410	9·26	4,508	13,457	
Trichinopoly	Trichinopoly ...	870	891	397	45·63	1,068	1,111	128	11·99	1,410	2,249	
	Ariyalur ...	938	948	378	39·76	598	613	89	14·88	902	1,624	
	Kulittalai ...	792	861	222	28·03	532	525	46	8·65	902	516	
	Total...	2,600	2,700	992	38·15	2,198	2,249	263	11·96	3,214	4,389	
Vizagapatam.	Vizagapatam ...	447	563	87	19·46	962	1,108	19	1·97	1,913	1,525	
	Bimlipatam ...	247	251	52	21·05	539	545	34	6·33	474	802	
	Royavaram ...	665	745	78	11·73	623	667	29	4·65	1,429	3,297	
	Vizianagaram ...	487	524	83	17·04	481	541	24	4,99	682	545	
	Razam ...	452	498	58	12·83	612	637	26	4·25	925	1,369	
	Parvatipur ...	389	388	37	9·51	372	378	9	2·42	756	1,277	
	Total...	2,687	2,969	395	14·70	3,589	3,876	141	3·93	6,179	8,815	

IV.—STATEMENT showing the result of Appeals from District Judges to the High Court in 1882.

DISTRICT COURTS.	COURTS APPEALED FROM TO THE HIGH COURT.						NUMBER AND RESULT OF APPEALS AND SECOND APPEALS DISPOSED OF BY THE HIGH COURT.								
	ON THE FILE.			DISPOSED OF ON CONTEST.				NUMBER ALLOWED IN WHOLE OR PART.							
								Lower Court's Decree.							
	Suits.	Appeals.	Total	Suits.	Appealable Appeals.	Total.	Number dismissed.	Modified.	Reversed.	Reversed and Remanded.	Total number disposed of.	Total.	Percentage of Col: 12 to Col: 13.	Percentage of Col: 12 to Col: 7.	REMARKS.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Arcot (North) ...	35	253	288	9	116	125	19	1	2	4	7	26	26·92	5·60	
Do (South) ...	2	151	153	1	91	92	15	...	7	3	10	25	40·00	10·87	
Bellary ...	10	81	91	1	41	42	4	1	1	2	4	8	50·00	95·24	
Canara (South) ...	2	325	327	1	117	118	14	1	4	2	7	21	33·33	59·32	
Chingleput ...	32	534	566	10	275	285	52	20	4	10	34	86	39·53	11·93	
Coimbatore ...	30	268	298	14	179	193	24	6	6	4	16	40	40·00	8·28	
Cuddapah ...	27	259	286	7	85	92	10	4	8	2	14	24	58·33	15·22	
Ganjam ...	33	273	306	11	119	130	18	...	2	3	5	23	21·74	3·85	
Godavari ...	72	254	326	12	82	94	10	...	...	10	10	20	50·00	10·64	
Kistna ...	76	441	517	23	188	211	16	7	20	1	28	44	63·64	13·70	
Kurnool ...	14	50	64	3	29	32	2	2	...	...	2	4	50·00	12·50	
Madura ...	7	363	370	4	299	303	18	1	3	1	5	23	21·74	1·65	
Malabar (North) ...	5	440	445	4	220	224	22	4	1	...	5	27	18·52	2·23	
Malabar (South) ...	1	582	583	1	368	369	74	5	10	4	19	93	20·43	5·15	
Nellore ...	52	233	285	8	48	56	8	...	2	1	3	11	27·27	5·36	
Salem ...	41	403	444	26	147	173	32	1	8	4	13	45	28·89	7·51	
Tanjore (North) ...	10	288	298	4	157	161	29	8	6	11	25	54	46·29	15·53	
Tanjore (South) ...	5	393	398	3	257	260	26	3	14	13	30	56	53·71	11·54	
Tinnevelly ...	12	310	322	4	146	150	16	4	19	7	30	46	63·04	20·00	
Trichinopoly ...	47	550	597	12	190	202	46	4	2	1	7	53	13·21	3·47	
Vizagapatam ...	4	381	385	1	222	223	21	9	4	4	17	38	44·74	7·62	
Total.	517	6,832	7,349	159	3,376	3,535	476	81	123	87	291	767	37·94	8·20	

V.—STATEMENT showing the Result of Appeals from Subordinate Judges to the High Court in 1882.

COURTS APPEALED FROM TO THE HIGH COURT.							NUMBER AND RESULT OF APPEALS AND SECOND APPEALS DISPOSED OF BY THE HIGH COURT.							
DISTRICT COURTS.	ON THE FILE.			DISPOSED OF ON CONTEST.			Number Dismissed.	NUMBER ALLOWED IN WHOLE OR PART.				Total number disposed of.	Percentage of Col: 12 to Col: 13.	Percentage of Col: 12 to Col. 7.	REMARKS.
								Lower Court's Decree.							
	Suits.	Appeals.	Total.	Suits.	Appealable Appeals.	Total.		Modified.	Reversed.	Reversed and Remanded.	Total.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Arcot, South (*Cuddalore*).	109	137	246	60	72	132	19	2	1	4	7	26	26 92	5 30	
Bellary	85	169	254	10	72	82	8	...	1	3	4	12	33·33	4·88	
Canara, S. (*Mangalore*).	65	370	435	14	207	221	25	5	8	2	15	40	37 50	6 79	
Coimbatore, (*Nilgiris*).	182	...	182	69	...	69	...	...	...	...	..	...	.	. .	
Godavari (*Cocanada*)	41	774	815	19	422	441	18	3	1	1	5	23	21·73	1 11	
Madura East	76	40	116	26	37	63	7	3	7	2	12	19	63 16	19·05	
Madura West	41	70	111	9	62	71	9	2	2	...	4	13	30 70	5 63	
Malabar, N. (*Tellicherry*).	67	371	438	25	319	344	35	...	3	4	7	42	16 67	2·00	
Malabar (S.) Calicut ..	87	573	660	35	354	389	32	2	6	3	11	43	25 58	2·82	
Malabar (S.) Cochin ...	68	66	134	11	27	38	...	...	2	...	2	2	100·00	5·26	
Tanjore, N. (*Negapatam*).	140	87	227	58	75	133	20	5	7	3	15	35	42 86	11·27	
Tanjore (S.) Kumbakonam..	58	60	118	21	54	75	12	3	2	...	5	17	29 41	6 66	
Tanjore (S.) Tanjore ..	129	85	214	78	75	153	10	7	3	2	12	22	54·55	7·84	
Tinnevelly ..	63	259	322	27	198	225	28	4	4	4	12	40	30·00	17·78	
Vizagapatam ...	72	293	365	60	206	266	14	2	1	...	3	17	17·65	7 52	
Total...	1,283	3,354	4,637	522	2,180	2,702	287	38	48	28	114	351	32·48	12·99	

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

ORDER—dated 16th November 1883, No. 3008, Judicial.

The foregoing report reviews the operations of the civil courts in this presidency, viz., those of the High court and the courts subordinate thereto, during the year ending with the 31st December 1882. Paragraphs 1 to 109 deal with the work done by the High court; and much of the matter contained therein, as well as of that to be found in the subsequent portions of the report, consists of figured statements, which may perhaps in future be consolidated by adopting special statements based on the forms prescribed by the Government of India. By this means the length of the report can be curtailed considerably. The periods taken into consideration for purposes of comparison vary for the different courts. The Governor in Council is of opinion that, as far as possible, a uniform period of five years may for this purpose be adopted for all the courts; the actuals for each of such years, in the case of the High court, and the averages for the same period, in the case of other courts, being compared with the actuals for the year under report. The Honorable the Judges will be requested to give effect to the foregoing suggestion.

2. The work of the High court is distributable under the following heads:—

(*a*) Original suits.
(*b*) References.
(*c*) Miscellaneous applications.
(*d*) Insolvency ,,
(*e*) Execution ,,

The septennial averages and the actuals for 1881-82 of the work under each of the foregoing heads are set forth in the following statement, which will show that the income and outturn of work during 1882 fell short of the returns in the preceding years:—

Nature of work.	Institutions.			Files.			Disposals.			Arrears.		
	Average.	Actuals.		Average.	Actuals.		Average.	Actuals.		Average.	Actuals.	
		1881.	1882.		1881.	1882.		1881.	1882.		1881.	1882.
(*a*) Original suits	722	494	407	1,108	754	636	588	533	370	520	221	266
(*b*) References	21	15	12	62	54	49	22	17	12	39	37	37
Applications—												
(*c*) Miscellaneous	43	71	64	51	87	77	42	74	56	9	13	21
(*d*) Insolvency	143	138	166	207	231	234	144	163	169	63	68	65
(*e*) Execution	..	272	213	..	311	246	..	278	162	..	33	84

Of the suits instituted, 178, *i.e.* 43 per cent., would have been cognizable by a district munsif in the mufassal; fifty-four could have gone to the Presidency court of Small Causes had that court possessed its present enhanced jurisdiction (Rs. 2,000) throughout the year, but that enhancement took effect in July 1882 only. It appears, however, that seventeen of the suits filed in the High court between July and December last could have been instituted in the local Small Cause court. The explanation given at paragraph 14 as to the influx of such suits does not adequately account for the existing state of things—which the Governor in Council considers to be mainly due to the light institution fee on plaints levied at the High court where a uniform fee of Rs. 30 is charged on plaints, while in the Small Cause court the plaintiff had until recently to pay an institution fee of $12\frac{1}{2}$ per cent. on the pecuniary value of his claim and has

even now to pay at the same rate up to 200 rupees, beyond which the institution fee is charged at $6\frac{1}{4}$ per cent. Had the 17 small cause suits instituted in the High court during the latter half of 1882 been filed at the Presidency court of Small Causes, they would have had to pay an average institution fee of Rs. 151 each, or five times the amount levied at the high court. If the enhanced jurisdiction of the Presidency Small Cause court is to afford any substantial relief to the High court, the institution fees in both the courts up to Rs. 2,000 should be the same. The attention of the Honorable the Judges will again be drawn to this matter in order to the scale of fees as to suits for sums not exceeding Rs. 2,000 being assimilated to that of the Small Cause court.

The amount realized as court fees during the year amounted to Rs. 62,593, and had the scale fixed by the Court Fees Act been in force in the court, there would have been an increase of 50 per cent.

The number of suits disposed of fell short of the average and actuals for 1881 under the same head by more than 30 per cent.; the number of contested decrees was only 178 as against an average of 240 and 256, the actuals for 1881, while the average duration of contested and uncontested cases was 148 and 88 days respectively. Of the 266 suits pending at the end of the year, 105 were awaiting issues, 108 final disposal, 10 judgment, and 6 return of commission. Fifteen suits were more than three years old, and one had been pending since 1874.

3. The following are the main sub-heads of the work done by the high court on the appellate side:—

(*a*) Appeals from original decrees;
(*b*) Second appeals or appeals from appellate decrees;
(*c*) Civil miscellaneous appeals or appeals from orders and appellate orders;
(*d*) Revision petitions, *i.e.*, petitions under section 622 of the Code of Civil Procedure; and
(*e*) Other petitions.

The following statement shows the average quantity of work received and disposed of during the eleven years ending with 1881 as compared with the actuals for 1881-82:—

Particulars.	Appeals.			Second appeals.			Miscellaneous appeals.			Revision petitions.			Other petitions.		
	Average.	Actuals.		Average.	Actuals.		Average.	Actuals.		Average.	Actuals.		Average.	Actuals.	
		1881.	1882.		1881.	1882.		1881.	1882.		1881.	1882.		1881.	1885.
1. Received	160	192	186	790	1,002	1,084	137	204	201	122	177	312	..	..	..
2. Total file	240	328	354	1,042	1,377	1,695	174	284	291	195	232	382	..	..	..
3. Disposed of	156	160	167	773	769	973	132	194	195	104	162	223	379	512	512
4. Arrears	85	168	187	269	608	722	42	90	96	41	70	159	..	..	..

The number of appeals instituted though less than the corresponding figures for 1880-81 is still considerably in excess of the average for the eleven years preceding 1882. The mode of disposal of the appellate file—the heaviest since the establishment of the court—was as shown below:—

—	Appeals.			Second appeals.		
	Average.	Actuals.		Average.	Actuals.	
		1881.	1882.		1881.	1882.
Confirmed	97	73	62	582	413	534
Modified or reversed	52	79	91	143	210	323
Dismissed for default	7	8	14	48	146	116

The increase in the number of decrees modified or reversed by the high court is noticeable, and seems to account for the increase of the appellate work of the court.

There has been a considerable increase in the number of second appeals; and paragraph 74 of the report shows that the entire increase consisted of second appeals in suits the value of which did not exceed Rs. 500.

The total value of the property involved in the appeals and second appeals instituted in the high court during the year was 57,07,541 rupees and 3,44,505 rupees as against 14,45,698 and 3,93,052 of 1881, respectively, but one appeal alone, viz., *in re* the Sivaganga Zamindari, was valued at Rs. 38 lakhs.

Madura, South Tanjore and Vizagapatam contributed the largest number of appeals, while South Malabar and South Canara furnished 153 and 102 second appeals respectively.

The average duration of appeals and second appeals was 366 and 242 days respectively as against 275 and 206 in 1881.

The appeals and second appeals pending at the end of the year may be distributed as follows :—

	Appeals.	Second appeals.
Awaiting judgment	6	22
Do. findings on issues	13	54
Postponed, &c.	7	18
Ready for hearing	19	206
Records in preparation	107	227
Notice not returned	31	156
Pending admission	4	39
Total ..	187	722

If the work of the court goes on increasing as it has shown a tendency to do since 1879, and if the arrangements made for holding as many sittings of appellate benches as is possible in the circumstances do not secure the speedy disposal of cases, it will certainly become necessary either to add a judge permanently to the court or to relieve the court of at least a great portion of its work on the original side—a measure frequently suggested by this Government.

Of the nine appeals returned as pending before the Privy Council the decrees in two have been reversed, while two appeals have been withdrawn or dismissed for default.

4. Paragraphs 110 to 145 relate to the work of the Presidency Court of Small Causes and are passed over without remark, as that work has already been reviewed by Government (*vide* G.O., dated the 14th June 1883, No. 1594).

5. *Village Munsifs.*—The number of suits instituted before these courts during the year was 46,947 as against an average of 45,521 for the four years ending with 1881; the total number for disposal fell short of the average under the same head by about 4,100 suits, the number disposed of (47,237) was on a level with the average. The mode in which the said suits were disposed of shows that only 13·89 per cent. of the litigation before village munsifs is contested, though their share of the civil work of the country is about 24 per cent.

6. *District Munsifs.*—The number of ordinary suits instituted before the presidency judges of what have been deservedly termed the great courts of first instance, was 64,266, which, though slightly in excess of the average of the years, since the Madras Civil Courts' Act came into force, shows a decrease of about 3,000 suits on the average of the three years, 1879 to 1881, while the number of small cause suits instituted in 1882 is 10 per cent. less than the average of the ten years preceding that year. The average number of munsifs in each district has remained the same, viz., $5\frac{1}{2}$; and the average number of suits instituted is less than the corresponding figures for each of the four years immediately following the famine, which shows that the files of these courts have gone back to their normal condition. Of the ordinary suits instituted more than 50 per cent. were in regard to real property, while 22,781 were on contract; on which were also based 70 per cent. of the suits instituted as small causes. The total

number of suits for disposal and that of those disposed of is shown below, from which it will be seen that 38 per cent. of the ordinary and 22 per cent. of the small cause litigation before these tribunals were disposed of after contest :—

Class of suits.	Number for disposal.	Disposed of	
		After contest.	On the whole.
Ordinary suits	83,246	24,678	64,800
Small causes	77,366	16,166	71,678

It is observed that the percentage of arrears at the end of the year was about equal to the average; that the average duration of contested and uncontested ordinary suits was 141 and 112 days respectively, and that the corresponding figures for small causes were 42 and 35 days, respectively, which compare favorably with the returns of the presidency court of small causes (*vide* paragraph 128). This is a matter of surprise and worthy of the attention of the presidency court.

There were 532 applications for insolvency for disposal by district munsifs; 205 were withdrawn, 102 granted, and 129 rejected—the applicants in nine of the latter being sentenced to imprisonment under section 359 of the code.

7. *Subordinate Judges.*—There has been a considerable increase in the number of suits instituted before subordinate judges; but such increase would appear to have been due mainly to suits cognizable by district munsifs being filed before the Ootacamund and Cochin subordinate judges, and to some extent to the number of suits instituted before the temporary subordinate judge at Vizagapatam. Seven hundred and ninety-one ordinary suits and 11,280 small causes were instituted before subordinate judges. The total file for disposal was 1,283 ordinary suits and 13,010 small causes, of which 964 ordinary suits (531 of these, *i.e.*, 55·08 per cent. on contest), and 11,611 small causes (3,204 of these, *i.e.*, 27·60 per cent. on contest) were disposed of; the average duration under each class of litigation being as indicated below :—

Nature of work.	Contested.	Uncontested.
Ordinary suits	193	102
Small causes	65	41

There were 134 applications for insolvency pending disposal by subordinate judges, 117 were disposed of; in 43 of these the prayer of the applicants was granted, while 25 applications were rejected, two of the applicants being sentenced to imprisonment.

8. *District Judges.*—Two hundred and eighty-three original suits as against 266, the average of the years 1874 to 1881, were instituted before district judges. This figure is considerably less than that for 1880 and 1881, and the decrease may be due to the operation of the Nílgiri and Vizagapatam subordinate courts. One hundred and seventy-five of the suits instituted (*i.e.*, more than 60 per cent.) were title and other suits. The total number for disposal was 518, of which 308 were disposed of (164 of these, *i.e.*, 53·25 per cent. on contest). The arrears before district judges are again showing a tendency to increase.

9. *Appeals.*—The number of appeals instituted was 7,290 as against 6,671 in 1881. The total number of appeals for disposal was 10,186, of which 7,349 (4,544 by district judges and 2,805 by subordinate judges) were disposed of. Paragraphs 497 and 498 show that the arrears in the sub-courts were lighter than those in district courts. Of the appeals disposed of 6,597 were contested; the average duration of contested and uncontested appeals before subordinate judges was 97 and 73 days, while that before district judges 134 and 98 days. Appeals from orders call for no remark.

10. *Revenue Courts.*—There were 5,305 suits under Act VIII of 1865 of the Madras Code instituted before 68 officers exercising the powers of Collectors under the said enactment. These, together with suits pending at the end of 1881 and received on remand and re-admitted, gave a total of 7,085 for disposal; of which 4,729 (2,759 of them, *i.e.* 58·34 per cent. on contest) were disposed of. Paragraph 236 shows that 46 of the undisposed-of suits were pending for more than twelve months. The average duration of contested and uncontested cases was 124 and 128 days, respectively.

11. *Agency Courts.*—The work done by the special courts, in the Scheduled districts calls for no remark.

12. *General.*—It is observed that in two districts, Cuddapah and Kurnool, the receipts under Court-fees fell short of the expenditure, and the work done in those districts shows a considerable waste of judicial agency. The remarks regarding the Process Service fund and the proper mode of appropriating the surplus are approved; the savings effected by the reductions in the regular establishment will, of course, be available for any other improvements in the same direction.

(True Extract.)

C. G. MASTER,
Chief Secretary.